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# Appeal Decision

Site visit made on 12 January 2017

**by Andrew Dawe BSc(Hons) MSc MPhil MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 17 January 2017**

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**Appeal Ref: APP/Z0116/D/16/3158402**

**35 Braikenridge Road, St Annes, Bristol BS4 3SW**

- 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, paragraph A.4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (the GPDO).
  - The appeal is made by A McGregor against the decision of Bristol City Council.
  - The application Ref 16/03282/HX, dated 13 June 2016, was refused by notice dated 27 June 2016.
  - The development proposed is single storey rear extension.
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## Decision

1. The appeal is dismissed.

## Procedural Matters

2. The date of the application is not recorded on the originally submitted prior notification form. The date shown in the third bullet point of the above header is therefore taken from consistent dates on the Council's officer report and decision notice as well as the appeal form.
3. The description of development in the fourth bullet point in the above header is also taken from the appeal form as this again was not included on the prior notification form.

## Main Issue

4. The main issue is whether or not the proposed development would constitute permitted development in respect of Class A of Schedule 2, Part 1 of the GPDO.

## Reasons

5. Schedule 2, Part 1, Class A of the GPDO sets out that development is classed as permitted development if it consists of the enlargement, improvement or other alteration of a dwellinghouse. This is subject to a number of situations where such development is not permitted, listed under paragraphs A.1 and A.2, and to conditions set out in A.3 and A.4.
  6. The proposed extension would adjoin an existing two storey rear extension that extends beyond the side wall of the original house. Although the appellant states that that existing extension was built following planning permission as opposed to being permitted development, it is nevertheless an enlarged part of the dwellinghouse. As a result of the proposed development the enlarged part
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of the dwellinghouse would include the combined existing and proposed extensions.

7. Having regard to paragraph A.1(j) of the GPDO, the enlarged part of the dwellinghouse would therefore extend beyond a wall forming a side elevation of the original dwellinghouse and it would have a width greater than half the width of the original dwellinghouse. As such, the proposed extension would not be permitted development.

### **Conclusion**

8. For the above reasons, I conclude that the appeal should be dismissed.

*Andrew Dawe*

INSPECTOR