



Appeal Decision

by John Braithwaite BSc(Arch) BArch(Hons) RIBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2025

Appeal Ref: APP/D1265/X/24/3349773

17 Church Street, Bridport, Dorset DT6 3PS

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
- The appeal is made by Ms Andrea Cselko against the decision of Dorset Council.
- The application ref P/CLP/2024/02806, dated 3 June 2024, was refused by notice dated 24 July 2024.
- The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
- The development for which an LDC is sought is replace the greenhouse in the back garden with a wooden garden room/artist studio.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. Determination of the appeal requires an assessment of the proposed development against the provisions of The Town and Country Planning (General Permitted Development)(England) Order 2015 (the GPDO). The proposed development is shown on drawings submitted with the application. In these circumstances visiting the site is unnecessary. The appeal has been determined without undertaking a site visit.

Reasons

3. 17 Church Street is a mid-terraced cottage with a rear garden. The greenhouse is in the rear garden. Under Class E of Part 1 of Schedule 2 of the GPDO provision within the curtilage of a dwelling of any building required for a purpose incidental to the enjoyment of the dwelling is permitted development, subject to limitations set out in paragraph E.1. Development is not permitted under limitation E.1(g) if the building would be situated within the curtilage of a listed building.
4. 17 Church Street is the middle dwelling in a terrace of three dwellings that is a listed building, 15-19 Church Street. The curtilage of a building is defined as any area of land that is around and associated with the building. Under this definition it must be concluded that the rear garden of the appeal dwelling is its curtilage. The proposed garden room/artist studio would be for a purpose incidental to the enjoyment of the dwelling but it would be erected within the curtilage of the listed building. The proposed garden room/artist studio is not therefore development permitted under Class E of Part 1 of Schedule 2 of the GPDO. The proposed garden room/artist studio is development for which planning permission is required to be granted by the Council.
5. For the reasons given above, and on all the evidence now available, the Council's refusal to grant an LDC for 'replace the greenhouse in the back garden with a wooden garden room/artist studio' at 17 Church Street, Bridport, Dorset was well-founded and

the appeal fails. The powers transferred under section 195(2) of the 1990 Act as amended have been exercised accordingly.

John Braithwaite

Inspector