

**PRIOR APPROVAL FOR A REAR EXTENSION UNDER PART 1 CLASS A OF THE
GENERAL PERMITTED DEVELOPMENT (GPDO) ORDER 2015**

TREE TOPS, MANOR ROAD, ABBOTS LEIGH

PRIOR APPROVAL APPLICATION

November 2023

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REPORT CONTROL

Project:	Tree Tops, Abbots Leigh
Report Type:	Prior Approval
Client:	Edward Ware
Our Reference:	802/A3/CL/Prior Approval
Date:	20/11/23
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1.0 INTRODUCTION

- 1.1 On behalf of our client, Mr Edward Ware, Grass Roots Planning have been instructed to resubmit a prior approval application for the rear extension to the dwellinghouse known as Tree Tops, located at Manor Road, Abbots Leigh (the site). The site lies within the administrative boundary of North Somerset Council (NSC).
- 1.2 By way of background, on September 2023 Grass Roots Planning on behalf of Mr Edward Ware submitted application 23/P/1965/HHPA which reads: “Prior approval request for the erection of a single storey rear extension with a flat roof that would 1) extend beyond the rear wall of the original house by 7.70 metres; 2) have a maximum height of 3.00 metres and 3) have eaves that are 3.00 metres high.”
- 1.3 After submission of the above application the LPA requested Grassroots Planning to provide photographs of the principal elevation as they could not ascertain the front elevation of the building. Grassroots Planning provided the requested photos and subsequently a site plan with several photos which clearly indicate which is the principal elevation of the original dwelling, and which are the back and side elevations (Fig. 2 in next section). Notwithstanding this, the application was refused for the following reasons:

The developer has provided Insufficient information to enable the Local Planning Authority to determine whether the proposal constitutes permitted development by virtue of Class A of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). In particular, insufficient information has been submitted to enable the Local Planning Authority to determine which elevation constitutes the principal elevation of the original dwellinghouse and consequently which elevation constitutes the rear elevation of the original dwellinghouse. The proposed plans show two extensions on different elevations, a first-floor extension and a detached outbuilding. Therefore, notwithstanding there being insufficient information to determine which elevation is the rear elevation of the original dwellinghouse, there will be aspects of the development shown on the submitted plans that do not comply with paragraph A.1(g) of the abovementioned Order. The application has therefore been refused in accordance with paragraph A.4(3) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

- 1.4 The proposal in our view is permissible under Class A of the Town and Country Planning (General Permitted Development) Order 2015. Section 4 of this statement sets out how the proposed rear elevation meets the requirements for Part 1 Class A of the GPD Order, and how contrary to what is stated in the above reason for refusal, the proposed rear extension complies with paragraph A.1 (g) of the GPDO.

1.5 The plans and documents submitted with application 23/P/1965/HHPA showed other proposed development (upwards extension, side extension and an outbuilding) in addition to the rear extension. For the purposes of this resubmission and for clarity, these plans and documents have been amended to only show the proposed rear extension and do not include other proposed development.

1.6 This application comprises the following documents, they should be read in conjunction with this statement:

- Application Form & Certificates;
- Plans prepared by Big Picture Design:
 - Site Location Plan (Ref: 13234_201)
 - Existing Site Plan (Ref: 13234_202)
 - Proposed Site Plan (Ref: 13234_203)
 - Existing Floor Plan (Ref: 13234_204)
 - Existing Elevations 1 of 2 (Ref: 13234_205)
 - Existing Elevations 2 of 2 (Ref: 13234_206)
 - Existing and Proposed Sections (Ref: 13234_207)
 - Proposed Floor Plans (Ref: 13234_208)
 - Proposed Elevations 1 of 2 (Ref: 13234_209)
 - Proposed Elevations 2 of 2 (Ref: 13234_210)

1.7 The statement will proceed as follows:

- Section 2 – The Site
- Section 3 – The Proposed Development
- Section 4 – Meeting the Requirements of Class A
- Section 5 - Conclusions

2.0 THE SITE

2.1 The site is located off Manor Road which is one of the main roads in Abbots Leigh connecting to the A369. The town of Pill lies to the north-west and Bristol city to the north-east.

2.2 The site comprises mostly overgrown grassland which surrounds the dwelling and forms its curtilage, and an area of hardstanding on the western corner of the land (see Figure 1). The property sits close to the north boundary of the site with direct access to the lane off Manor Road. Fencing and hedgerows separate the land along the south-east boundary from Manor Road and along the north-west and north-east boundaries. There is a hedge interspersed with trees along the south boundary which abuts open land.



Figure 1: Aerial image of site boundary (red line)

2.3 As Figure 2 below clearly illustrates, the front elevation of the original dwelling faces onto the access lane taken off Manor Road where the main access is located. The back of the dwelling overlooks the grassland which surrounds the property. The side elevations face west and east and also overlook the garden areas enclosing the property.



Figure 2: Site Plan with photographs of the principal (front) elevation and the back and side elevations of the original dwellinghouse.

- 2.4 We understand that the dwelling was built in the 1960's.
- 2.5 Figure 3 below shows the front door which is on the principal elevation of the original dwelling house. As clearly illustrated in this picture the materials, dimensions, stone frame and design of the door, as well as the big planter by its side, give it the hierarchy of a main door and therefore make it obvious that this is the main access to the original dwellinghouse.



Figure 3: Front door on the principal (front) elevation of the original dwellinghouse.

- 2.6 The other access to the bungalow is located on the South-East side elevation and is the kitchen door shown in Fig. 4 below, which obviously does not have the same hierarchy or dimensions as the main door shown in Fig. 3 above.



Figure 4: Kitchen door (indicated by red arrow) on the South-East (side) elevation of the original dwellinghouse

- 2.7 The surrounding context mostly consists of Abbots Pool Local Nature Reserve to the south-west, open land to the south-east, and residential dwellings, open land and a small woodland area to the north.
- 2.8 The site does not fall on Article 2 (3) land and aside from lying within the Bristol and Bath Green Belt, it is not subject to any specific land designations, such as AONB, SSI, SPA, SAC, Green Belt, World Heritage or Conservation Area (See Figure 5 below).
- 2.9 The policy map below shows the site and its local policy context:



Figure 4. Extract from Local Plan Policy Maps. Site location (blue marker)
Green colour indicates Green Belt designation and green grid indicates Local Green Space (Abbots Pool).

Site History

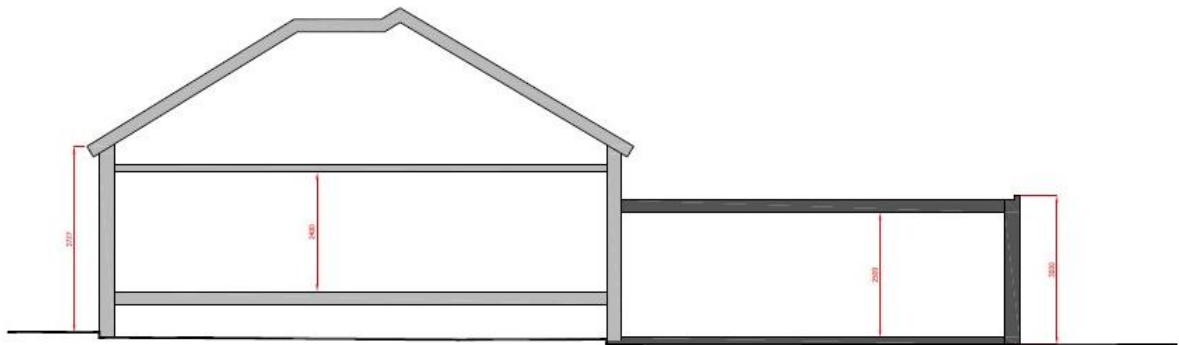
2.10 There have been two previous planning application for the site, one of which has been refused and one pending. Both are relevant to this application:

- **Application Ref: 23/P/1965/HHPA** – Prior approval request for the erection of a single storey rear extension with a flat roof that would 1) extend beyond the rear wall of the original house by 7.70 metres; 2) have a maximum height of 3.00 metres and 3) have eaves that are 3.00 metres high. 25/10/2023. Refused.
- **Application Ref: 23/P/1964/H2PA** – Application to determine if prior approval is required for a proposal to construct a first floor extension (additional storey) to existing bungalow, to a maximum height of 9.30 metres. 13/09/2023. Pending consideration.

3.0 THE PROPOSED DEVELOPMENT

3.1 Under permitted development and prior approval (Part 1 Class A) the proposal seeks the development of the existing 2-bedroom bungalow by way of a single storey rear extension to accommodate an open plan kitchen, dining and living area.

3.2 The proposed rear extension measures 8m in depth and extends across the full width of the rear of the existing dwelling. It has a flat roof which measures 3m at its highest point as the submitted cross section shown in Figure 5 below illustrates.



Proposed Section A-A

Figure 5. Proposed Section drawing

3.3 The existing bungalow was built in the 1950's and is built up entirely of brick. The proposed development will retain all existing materials.

3.1 The proposed rear elevation is illustrated below in Figure 6.



Proposed South West (Rear) Elevation

Figure 6. Proposed Rear Elevation

4.0 MEETING THE REQUIREMENTS FOR PART 1 CLASS A – REAR EXTENSION

4.1 Under the General Permitted Development (England) Order 2015, dwellinghouses may be enlarged by development within their curtilage, subject to a range of conditions. A rear extension can be provided to the existing dwelling which is what this development proposes.

4.2 In terms of the criteria for Class A, we proceed to set this out below, to illustrate how the proposal is permitted development. As such, the development not permitted under this class is listed below and forms part of the A.1 criteria.

4.3 *Development is not permitted by Class A if—*

(a) permission to use the dwellinghouse as a dwellinghouse has been granted only by virtue of Class M, N, P or Q of Part 3 of this Schedule (changes of use);

The dwelling has not been granted only by virtue of Class M, N, P or Q of Part 3 of Schedule 2 (changes of use).

(b) as a result of the works, the total area of ground covered by buildings within the curtilage of the dwellinghouse (other than the original dwellinghouse) would exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);

As clearly illustrated in the submitted ‘Proposed Site Plan’ (Ref: 13234_203), the proposed single storey rear extension does not exceed 50% of the total area of the curtilage.

(c) 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;

As shown in the submitted cross sections (Ref: 13234_207), the proposed single storey rear extension has a flat roof that measures 3 m at its highest point and would not exceed the highest part of the roof of the existing bungalow which is 6.65 m.

(d) the height of the eaves of the part of the dwellinghouse enlarged, improved or altered would exceed the height of the eaves of the existing dwellinghouse;

The height of the eaves of the proposed single storey rear extension would not exceed the height of the eaves of the existing bungalow (see submitted cross sections Ref: 13234_207).

*(e) the enlarged part of the dwellinghouse would extend beyond a wall which—
(i) forms the principal elevation of the original dwellinghouse; or*

The proposal is for a rear extension which does not extend beyond the principal elevation of the original dwelling which fronts onto the land to the north.

(ii) fronts a highway and forms a side elevation of the original dwellinghouse

It is a rear and not a side extension and does not front a highway.

*(f) subject to paragraph (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 4 metres in the case of a detached dwellinghouse, or 3 metres in the case of any other dwellinghouse, or
(ii) exceed 4 metres in height;*

Refer to paragraph (g) below.

(g) until 30th May 2019, for a dwellinghouse not on article 2(3) land nor on a site of special scientific interest, the enlarged part of the dwellinghouse would have a single storey and—

Site is not in article 2(3) land.

(i) extend beyond the rear wall of the original dwellinghouse by more than 8 metres in the case of a detached dwellinghouse, or 6 metres in the case of any other dwellinghouse, or

The proposed rear extension extends 8m from the detached dwelling house.

(ii) exceed 4 metres in height;

The total height of the proposed single storey rear extension does not exceed 4 m.

(h) the enlarged part of the dwellinghouse would have more than a single storey and—

(i) extend beyond the rear wall of the original dwellinghouse by more than 3 metres, or

(ii) be within 7 metres of any boundary of the curtilage of the dwellinghouse opposite the rear wall of the dwellinghouse

Not applicable, the proposal is for a single storey rear extension. The rear extension is more than 7 m away from any boundary.

(j) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse, and the height of the eaves of the enlarged part would exceed 3 metres;

Not applicable. The rear extension is not within 2 metres of any boundary of the curtilage of the bungalow.

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

(i) exceed 4 metres in height,

(ii) have more than a single storey, or

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

Not applicable. Single storey rear extension.

(k) it would consist of or include—

(i) the construction or provision of a verandah, balcony or raised platform,

(ii) the installation, alteration or replacement of a microwave antenna,

(iii) the installation, alteration or replacement of a chimney, flue or soil and vent pipe, or

(iv) an alteration to any part of the roof of the dwellinghouse.

Not applicable.

4.4 *A.2 In the case of a dwellinghouse on article 2(3) land, development is not permitted by Class A if —*

(a) it would consist of or include the cladding of any part of the exterior of the dwellinghouse with stone, artificial stone, pebble dash, render, timber, plastic or tiles;

(b)the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse; or
(c)the enlarged part of the dwellinghouse would have more than a single storey and extend beyond the rear wall of the original dwellinghouse.

Not applicable. Site is not within article 2(3) land.

4.5 The conditions in sub-paragraph A.3 are as follows—

- *(a)the materials used in any exterior work (other than materials used in the construction of a conservatory) must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse;*

The proposed materials for the exterior of the extension are the same as the existing materials of the exterior of the bungalow.

- *(b)any upper-floor window located in a wall or roof slope forming a side elevation of the dwellinghouse must be—*
(i)obscure-glazed, and
(ii)non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed; and

Not applicable. Single storey rear extension.

- *(c)where the enlarged part of the dwellinghouse has more than a single storey, the roof pitch of the enlarged part must, so far as practicable, be the same as the roof pitch of the original dwellinghouse*

Not applicable. Single storey rear extension.

4.6 As such, we consider the proposed development meets the criteria set out in Class A and the rear extension is permissible and there are no reasons that suggest that prior approval should not be granted. We note that the council will need to write to the neighbours of the site to consult them on the proposals, however.

5.0 CONCLUSIONS

- 5.1 Householder permitted development rights are set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (“the Order”) as amended. Schedule 2, Part 1 of the General Permitted Development Order (GPDO) allows for the enlargement, improvement or other alteration of a dwellinghouse, subject to a number of criteria. A rear extension can be provided to the existing dwelling which is what this development proposes.
- 5.2 The proposals seek to redevelop the existing 2-bedroom bungalow, into a family dwelling by way of a single storey rear extension.
- 5.3 The GPDO requires the developer to apply to the Local Planning Authority to request whether prior approval is needed. Additionally, the rules on permitted development require a neighbour consultation scheme for larger extensions under Class A, paragraph A.1 (g), as such this statement seeks to clarify that the proposal meets the conditions, limitations and restrictions set out by the GDPO.
- 5.4 In our view, we have demonstrated that the proposed rear single storey extension to the bungalow meets all the necessary conditions and that contrary to what is stated on the reason for refusal of application 23/P/1965/HHPA, the proposed rear extension complies with paragraph A.1 (g) of Schedule 2, Part 1 of the GPDO. The proposed extension therefore constitutes permitted development.
- 1.8 Additionally, we have provided sufficient information to enable the LPA to determine which elevation constitutes the principal elevation of the original dwellinghouse and therefore which elevation is the rear elevation of the dwellinghouse.
- 1.9 Moreover, the LPA has no evidence to suggest that the front door has been relocated.
- 5.5 As such, we consider that prior approval should be granted for the rear extension of the bungalow to create a larger family home, and trust that the Local Planning Authority can support this application.



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