



The Planning Inspectorate

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Customer
Services:
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0303 444 5000
section62anonmajor@planninginspectorate.gov.uk

Your Ref:

John Rooney
Stokes Morgan Planning Ltd

Our Ref: S62A/2024/0043

Attachment(s): None.

Date: 26 June 2024

Dear John

**Town and Country Planning Act 1990 (Section 62A Applications)
Change of use from a residential dwelling (C3a) to a small house in multiple
occupation (C4) for 3-6 people, including the erection of a rear roof
extension and single storey rear extension
At
85 Ruby Street, Bristol, BS3 3DW**

I write in relation to the above application.

Regulation 3A of The Town and Country Planning (Section 62A Applications)
(Amendment) Regulations 2016 excludes applications under section 62A of the Town
and Country Planning Act 1990 for development that has already been carried out
before the date of the application.

The relevant provision in regulation 3A(2)(a) is that:-

*(1) For the purposes of section 62A of the 1990 Act, an application which is within
paragraph (2) is not a relevant application.*

(2) The applications are—

*(a) any application for planning permission for development carried out before the
date of the application.....*

In the case of this application, you have explained that at the time of submission, the
development had already been commenced and was nearing completion, but had not
been completed.

Whether aspects of the development would benefit from permitted development rights
are not for consideration under Section 62A, rather a jurisdictional decision on the
application as a whole is required.

It is clear that development which was included within this application had already
been carried out before the date of the application even if the development as a whole
had not yet been completed.

Given the Regulation 3A exclusion referred to above, we are therefore not able to accept jurisdiction on your application, and no further action, or assessment of its merits, will take place.

Should the applicant wish to pursue this application then it would need to be submitted to Bristol City Council as the Regulation 3A exclusion would not apply.

We will be in touch to arrange a refund of the planning fee.

Yours sincerely,

Mark Boulton

Mark Boulton
S62A Applications Team