



Appeal Decision

Site visit made on 6 February 2025

by **P D Sedgwick BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 February 2025

Appeal Ref: APP/Z0116/D/24/3357007

48 Redcatch Road, Knowle, Bristol, BS4 2EY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S Phillips against the decision of Bristol City Council.
 - The application Ref is 24/04004/H.
 - The development proposed is single storey rear and side extension.
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Decision

1. The appeal is allowed, and planning permission is granted for single storey rear and side extension at 48 Redcatch Road, Knowle, Bristol, BS4 2EY in accordance with the terms of the application, Ref 24/04004/H, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in strict accordance with the following approved plans: Dwg Nos: 4317.PL.01 Rev A, 4317.PL.02 Rev A, 4317.PL.04 Rev C, 4317.PL.06 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matter

2. Subsequent to the refusal of permission for the proposed development the Government published its revised National Planning Policy Framework (the Framework) in December 2024. Further minor amendments were published on 7 February 2025, containing corrections and a clarification. The wording of the relevant paragraphs of the new Framework are similar to that of the 2023 version. Therefore, it has not been necessary to seek comments from the parties on the revised Framework, which I have referred to in my decision.

Main Issue

3. The main issue is the effect of the proposed development upon the living conditions of occupiers of 46 and 50 Redcatch Road, with particular regard to light and outlook.

Reasons

4. The appeal property is a 2 storey terraced house with a 2 storey rear projecting wing, joined to that of the neighbouring house, No 46, but with a gap between it and the boundary with No 50, the adjoining house on the other side. The rear wings extend slightly further back on the ground floor and have single pitched roofs, and parapet walls where they join with neighbouring wings, as is the case with the appeal property and No 46. The rear wings of all three properties contain a kitchen on the ground floor, which the council's Supplementary Planning Document - A Guide for Designing House Alterations and Extensions (2005) (SPD) identifies as a habitable room.
5. The proposed extension roof would breach a 45 degree line taken from the centre of the rear facing kitchen window of No 46, thus conflicting with guidance in the SPD and indicating that there would be an impact on outlook from, and light to, its windows. It would also be close to the side kitchen window of No 50 and its utility room window, but the existing rear wing on the appeal property already substantially breaches the 45 degree line for both these windows. Furthermore, the SPD states that the impact of development should be assessed on site, and standards may be relaxed depending on the site's orientation, the proximity of neighbouring properties and boundary walls, among other things.
6. The rear of houses in the terrace face north, limiting their access to direct sunlight and resulting in shade at their rear for much of the day, particularly in the winter months when the sun is low. The proposed extension would fill the gap between the rear wing and the boundary with No 50 and wrap around to extend the rear ground floor. No 50's utility room window is already enclosed on both sides by its rear wing, and that of the appeal site, and the boundary wall between the 2 properties. Consequently, it already has poor outlook and is overshadowed for most of the time. The kitchen window on the side of No 50's rear wing faces the boundary wall and the appeal property rear wing such that its existing outlook is also poor, and it is similarly overshadowed.
7. The proposed extension would be higher than the boundary wall and would therefore have a more overbearing presence, particularly from the kitchen side window. However, the kitchen is dual aspect with a second window on the rear elevation. The proposed development would be peripheral in views from this window because of the gap between it and the proposed extension, and it would not breach the 45 degree line. I also note that an extension could potentially be built along the boundary to approximately the same depth as No 50's kitchen side window under the 'Prior Approval' procedure and would have a similar effect on the outlook from it. In any case, I do not consider that the proposed development would significantly worsen the outlook from, or light to, No 50 such that it would harm the living conditions of its occupants.
8. The existing rear projections on No 46 and the appeal property are joined and share the same rear building line. The proposed development would replace the existing rear ground floor element with an extension that would project approximately 2m beyond the existing building line and be slightly higher. Given that it would be to the side of the kitchen window of No 46, and its depth, I do not consider it would significantly affect the outlook from it and, as I have noted, the rear of the houses is already overshadowed because of their orientation. There would be some additional overshadowing to the kitchen in the afternoons but not

enough to harm the living conditions of occupiers of the house. Also, I note that an extension could be potentially added to the rear wing under permitted development that would have a similar effect on outlook and shade to No 46's kitchen window.

9. Therefore, although the proposed scheme does not satisfy the 45 degree test for some windows on neighbouring houses, the site specific circumstances that I have described justify relaxing the standards, which the SPD allows. Overall, I conclude that the proposed development would not conflict with Policy DM30 of the Bristol Local Plan – Site Allocations and Development Management Policies (2014), Policy BSC21 of the Bristol Development Framework Core Strategy (2011), the objectives of the SPD and the Framework which seek to safeguard the amenity of neighbouring occupiers.

Conclusion and Conditions

10. For the reasons given above I conclude that the appeal should be allowed.
11. I have attached the standard time limit condition and a plans condition as this provides certainty. I have also added a condition concerning materials to ensure a satisfactory appearance.

P D Sedgwick

INSPECTOR