



Appeal Decision

Site visit made on 27 May 2025

by **JJ Packman MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 July 2025

Appeal Ref: APP/Z0116/D/25/3363452

7 Kenton Mews, Henleaze, Bristol City, Bristol, BS9 4LT

- 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 and Mrs Taylor against the decision of Bristol City Council
 - The application Ref is 24/04976/H
 - The development proposed is a first-floor rear extension over existing, and two-storey side extension. Relocation of front door and associated works.
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Decision

1. The appeal is allowed and planning permission is granted for first-floor rear extension over existing, and two-storey side extension. Relocation of front door and associated works at 7 Kenton Mews, Henleaze, Bristol City, Bristol, BS9 4LT in accordance with the terms of the application Ref 24/04976/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 undertaken in accordance with the following approved drawings: 1:1250 scale Location Plan, 1:500 scale site location plan (ref: 001); 1:100 scale existing ground and first floor plans (ref: 002), 1:100 scale existing roof plan (ref: 003), 1:100 scale existing front south and side east elevations (ref: 004), 1:100 scale existing rear north and side east elevations (ref: 005), 1:100 scale proposed ground and first floor plans (ref: 006), 1:100 scale proposed roof plan (ref: 007), 1:100 scale proposed front south and side east elevations (ref: 008), 1:100 scale proposed rear north and side west elevations (ref: 009)

Main Issue

2. The main issue is the effect of the proposal on the living conditions of the occupiers of No. 1a Ridgehill with particular regard to outlook and light.

Reasons.

3. No. 7 Kenton Mews (No. 7) is situated in a significantly larger plot than other dwellings nearby. It sits on one side of the plot resulting in a relatively small gap between No.7 and No.6 Kenton Mews.
4. Currently a single storey, flat roof extension projects from the northern elevation of No.7 and a single storey, monopitch extension projects from the eastern elevation.

- The proposal is to replace / incorporate both of these into a substantial two storey extension that would run alongside the boundary with No. 1a. There are also a number of other changes proposed, including the relocation of the front entrance.
5. The proposal would introduce two storey development close to the boundary with No. 1a, with the extension running alongside most of the length of the dwelling. Whilst the proposal will be large, it will not extend significantly beyond the footprint of the existing house or occupy a significant proportion of the plot. Neither will it be any higher than the highest part of the existing dwelling. For these reasons I do not consider the proposal to be 'over-scaled'
 6. From No. 1a, the extension would be most visible when viewed from the pathway that passes between the dwelling and the southern boundary. From this location the dwelling and boundary fence already create a sense of enclosure. One would likely be aware of the presence of the extension, but it might be necessary to look up to view it. It is not considered that the proposal would add significantly to this sense of enclosure.
 7. No information has been provided about the windows on the southern elevation of No. 1a, but given the proximity of the boundary and boundary treatment it is unclear whether a view of the proposed extension would be easily achievable from inside the dwelling. It is considered that the garden to the rear of No. 1a would be largely unaffected by the proposals, with only the north western corner of the proposal being visible.
 8. Despite the size of the proposed extension, I do not consider the appeal scheme would have an unacceptable overbearing impact on the occupants of No. 1a. Given the above, I also consider that the proposals would not result in an unacceptable reduced quality of outlook.
 9. The Council have raised concerns regarding overshadowing and loss of light. It was determined during the course of the application that the scheme did not comply with the Building Research Establishment (BRE) '25 degree rule', this triggered the requirement for a daylight assessment to assess the effect on habitable windows at No. 1a. The assessment demonstrated compliance with the vertical sky component (VSC), albeit only marginally. Whilst the Council accepted the findings of the assessment, the Council still determined the results to be significantly low and harmful to the neighbour's amenity. The Council also raised concerns about the adequacy of the report and stated that the No. 1a already sits at a lower ground level and receives low levels of light.
 10. A determination on this matter can only be made from the information in front of me. In this instance the proposal has demonstrated compliance with the BRE VSC test. Despite the result being towards the lowest end of that considered acceptable, I still attribute weight to this. I acknowledge the Council's concerns about overall adequacy of the assessment, but in the absence of further information to support the Council's concerns, I cannot give this significant weight. No. 1a may be situated at a slightly lower level than the appeal property but there is no reason to believe the property currently receives 'low levels of light'. When viewed from Ridgehill I noted that No. 1a was served by many windows on the northern and eastern elevations that would provide natural light.

11. Whilst the windows at No. 1a affected by the proposals are known to serve 'habitable rooms', no further details have been provided, so I cannot determine what type of room they serve. In the absence of this information, I have given increased weight to the letter of support provided the occupiers of No. 1a, who, knowing the interior layout of their home, have not raised concerns about levels of natural light or overshadowing resulting from the proposed development. For these reasons, I find the proposal to be acceptable in terms of overshadowing and natural light.
12. Consequently, I find that the proposals would accord with Policy BCS21 of the Bristol Development Framework Core Strategy (2021) in that it would safeguard the amenity of existing development and create a high-quality environment for future occupiers. The scheme would also comply with Policies DM27 and DM30 of the Bristol Local Plan – Site Allocations and Development Management Policies (2014) which require proposals to enable existing and proposed development to achieve appropriate levels of privacy, outlook and daylight and safeguard the amenity of host premises and neighbouring occupiers. Similarly, it is considered that the proposals accord with the requirements of Supplementary Planning Document Number 2 - A Guide for Designing House Alterations and Extensions (2005) which requires that care be taken to ensure that proposals do not result in a significant loss of daylight and would not be overbearing. The proposal is also considered to comply with Section 12 of the Framework, ensuring a high standard of amenity for existing and future users.

Conditions

13. The conditions imposed are those which have been suggested by the Council. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. I have slightly simplified the wording of the plans condition to make easier to understand.

Conclusion

14. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should be allowed.

JJ Packman

INSPECTOR