
Appeal Decision

Site visit made on 1 July 2025

by **M Wiltshire CEng MICE**

an Inspector appointed by the Secretary of State

Decision date: 07 October 2025

Appeal Ref: APP/Z0116/W/25/3365891

172 St. Johns Lane, Bedminster, Bristol BS3 5AR

- 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 Ms C Hale against the decision of Bristol City Council.
 - The application Ref is 24/00659/F.
 - The development proposed is erection of extensions at first and second floor level and the change of use from retail (A1) to 3no. self-contained flats, including alterations to existing shopfront.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. It was evident from my site visit that some of the works have already been undertaken. However, I am considering this appeal based upon the application and plans submitted.

Main Issues

3. The main issues in this appeal are the effect of the development on:
 - the character and appearance of the area; and
 - the living conditions of the occupiers of 174 St Johns Lane and 9 Kensal Avenue with regard to outlook.

Reasons

Character and appearance

4. The appeal site consists of a terraced property at the end of a row of fairly closely spaced terraced properties. This urban residential area is characterised by modestly proportioned properties with relatively small rear gardens or yards giving a fairly uniform feel to housing in this area.
5. The partially completed development would consist of substantial extensions at first and second floor levels to create self-contained flats. However, the height and scale of the extensions, and the overall scale of the building compared to the plot size, would result in the building appearing out of proportion with surrounding properties. This would be out of keeping with the surrounding fairly uniform housing development characterised by modestly proportioned properties with relatively small rear gardens or yards.

6. The bulk of the extensions would be at a 45-degree angle to the front part of the building, and the siting along the side access lane would be such that the extensions would only be visible via glimpsed views from the main road and viewed in the context of a neighbouring extended property. Even though the extension and the frontage of the building would not be seen in the same view, the massing of the extensions would still be apparent and would not appear subservient, but rather dominant to the building in its context where large extensions are not common. The creation of an active frontage along the side lane would not minimise or mitigate the harmful effects which would arise from the overall scale of the structure. Overall, I consider that the substantial extensions at first and second floor levels would result in the development appearing out of keeping with the layout and form of surrounding properties.
7. For these reasons, I conclude that the development would be harmful to the character and appearance of the area. Consequently, it would conflict with Policy BCS21 of the Bristol Development Framework Core Strategy, adopted June 2011 (BCS) and Policies DM26, DM27, and DM30 of the Bristol Local Plan Site Allocations and Development Management Policies, adopted July 2014 (SADMP). Together, and among other matters, these policies seek to ensure high standards of urban design, which respect local character and distinctiveness in terms of the layout and form, and respecting the design and character of the host building and street scene.

Living conditions of neighbours with regards to outlook

8. The first and second floor extensions would be built to the rear of No 172 St. Johns Lane (No 172). Adjacent to No 172 is the terraced property No 174 St Johns Lane (No 174). To the rear of No 172, beyond a narrow access pathway, is the house and garden of No 9 Kensal Avenue (No 9).
9. The occupiers of No 174 would perceive the extensions as a two storey built form along the entirety of the shared boundary, which in overall context would appear overbearing resulting in an increased sense of enclosure. The proposal would result in a 2 storey extension along the rear boundary which would restrict the outlook from the rear of No 9 and its garden. Although the extension would be a little lower at its rear most section, it would nevertheless be two storeys in height and would eliminate the reprieve at first floor level that previously existed. The existence of a neighbouring extension does not mitigate this impact, but rather the appeal extension would exacerbate the effect on this neighbouring property.
10. Therefore, the development would result in harm to the living conditions of the occupiers of 174 St Johns Lane and 9 Kensal Avenue with regard to outlook. Consequently, it would conflict with Policy BCS21 of the BCS and Policies DM27 and DM30 of the SADMP. Together, and among other matters, these policies seek to ensure high standards of urban design which safeguard the amenity of neighbouring occupiers.

Conclusion

11. The evidence indicates that the Council's current housing land supply falls below the housing requirement for the five-year period. Paragraph 11 d) of the National Planning Policy Framework (the Framework) explains that in these circumstances, planning permission should be granted unless any adverse impacts of doing so

would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

12. The benefits of the provision of three dwellings to the supply of housing, even taking account of the location where the need to travel would be minimised, would be very modest.
13. When considered in the round, the adverse impacts of the development in terms of the effects on the character and appearance of the area and the living conditions of the neighbouring residents would significantly and demonstrably outweigh the benefits of the development. The development would not accord with the policies in the Framework taken as a whole.
14. For the reasons given above the appeal should be dismissed.

M Wiltshire

INSPECTOR