



Appeal Decision

Site visit made on 11 November 2025

by **G Roberts BA (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 November 2025

Appeal Ref: APP/Z0116/D/25/3374833

4 Elmhurst Avenue, Bristol, BS5 6QJ

- 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 A Ahmed against the decision of Bristol City Council.
 - The application Ref is 25/12051/H
 - The development proposed is demolition of side garage, rear outhouse and extension and erection of a double storey side extension, a single storey rear extension and a loft conversion.
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Decision

1. The appeal is allowed and planning permission is granted for demolition of side garage, rear outhouse and extension and erection of a double storey side extension, a single storey rear extension and a loft conversion at 4 Elmhurst Avenue, Bristol, BS5 6QJ in accordance with the terms of the application, Ref 25/12051/H and the plans submitted with it, subject to the conditions listed below.
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
 - 2) 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 or otherwise be as specified on the approved plans.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg's No. 01 Rev.A; 21 Rev.A; 22 Rev.A; 23 Rev.A; 31 Rev.A; 32 Rev.A; 33 Rev.A; 34 Rev.A.

Main Issues

2. The main issues are: (a) the effect of the proposed development on the character and appearance of the host property and surrounding area, and (b) the effect of the development on the living conditions of neighbouring occupiers.

Reasons

Character and appearance

3. The appeal site is located on Elmhurst Avenue, a small cul de sac of two storey properties comprising three pairs of semis and a detached property that face onto Ridgeway Jewish Cemetery. The host property forms a pair of semis with 2 Elmhurst Avenue (No.2) (located to its north east). To the south west of the appeal site is a further pair of semis. The road slopes down toward the end of the cul de sac with the appeal site sitting at a higher level than most of the properties in the

road other than No.2. The topography of the location is such that the appeal site and its neighbours sit at a higher level to the properties in Ashdene Avenue, to the north west. The appeal proposal involves the demolition of a side garage, rear outhouse and rear extension and erection of a two storey side extension, single storey rear extension and loft conversion.

4. Policy BCS21 of the Bristol Core Strategy (2011) (BCS) and policies DM26, DM27 and DM30 of the Site Allocations & Development Management Policies (2014) (DMP) seek, amongst other requirements, to ensure that new development is: of a high quality design that contributes positively to the character of the area; respects the pattern or grain of development; responds to the height, scale, mass, form, roof scape, building lines and materials of existing buildings; and for extensions respect the proportions and be subservient to the host property. This policy approach is reflected in Supplementary Planning Document Number 2 – A Guide for Designing House Alterations & Extensions (2005) (SPD).
5. More up to date policy guidance is provided in paragraph 135 of the National Planning Policy Framework (2024) (NPPF) which states that being sympathetic to local character should not prevent or discourage appropriate innovation or change. The policies of the BCS and DMP, as well as those in the SPD, predate those in the NPPF as well as those in the National Design Guide (NDG) (2022). Paragraph 44 of the latter reinforces the NPPF by emphasising that well designed places do not need to copy their surroundings in every way, that it is appropriate to introduce elements to reflect how we live today and to include innovation or change.
6. Dealing firstly with the proposed two storey side extension, this is shown as being set back some 0.7 metres from the common boundary with 6 Elmhurst Avenue (No.6) (south west of the appeal site). The SPD refers to a gap of at least 1 metre and whilst less than this, the gap retained would be acceptable and would avoid any terracing effect. That finding is supported by the fact the existing garage to the host is sited on a common boundary, that the extension would sit at a higher level to No.6 and that there is a large gap between the boundary and the main house at No.6. The proposed gap would also be similar to those that have been retained on other approved and built two storey extensions in the road. As I observed on site, three properties in the road already benefit from two storey side extensions and I understand a fourth has approval and is currently under construction.
7. The front wall of the proposed side extension has also been set back from the main front wall of the host property and its ridge would be lower than existing. Similarly, the eaves would be lower than existing and it would incorporate a small hip end to the roof to reduce its perceived bulk. As such, I am satisfied that the proposed side extension would be subservient and proportional to the host property, as well as to the proposed hip to gable extension on the host's main roof (to incorporate the loft conversion). This design and form would not be dissimilar to approved two storey side extensions in the road.
8. With the use of a pallet of materials to match existing, this element of the proposal would represent a sympathetic extension to the host property. The Council further contend that the proposal would disrupt the rhythm of the street scene. For the reasons given above, I do not agree. The road comprises a short cul de sac where with its topography and approved side extensions there is no strong or cohesive rhythm to the streetscene. Within that context and in view of the revised design,

the proposed side extension would not appear bulky or overbearing and would not undermine the integrity of the host property.

9. The extensions to the main roof to accommodate the loft conversion would also be acceptable. They would not appear disproportionate or out of scale with the host or surrounding properties. The hip to gable extension integrates well with the design of the new side extension. I accept that it would include a new dormer but this would be on the rear and largely screened from public vantage points. It would sit reasonably comfortably within the extended roofscape, with the windows aligned with those below. In reaching that finding, I have noted the Appellants reference to this element being permitted development. That is not a matter that I can comment on in the context of an appeal seeking planning permission. I can only determine the appeal proposal that is before me which includes the proposed loft conversion.
10. Turning to the proposed single storey rear extension, this would in part replace an existing extension. As it would incorporate a flat roof and its depth would be modest this element of the appeal proposal would also be acceptable. This finding would also apply to the proposed raised platform/steps from this new extension to the rear garden. These would replace an existing platform/steps adjacent to the boundary with No.2.
11. Accordingly, I find that the appeal proposal would not result in any harm to the character and appearance of the host property or surrounding area and would be compliant with policy BSC21 of the BCS, policies DM26, DM27 and DM30 of the DMP, the SPD and the corresponding policies of the NPPF and NDG.

Living conditions – neighbours

12. The Council contend that the raised rear platform would increase the potential for overlooking of the gardens and habitable rooms to the Ashdene Avenue properties. However, as I confirmed above, there is already a raised platform/steps on the rear that is wider than that proposed. The new platform would also be positioned away from the boundary with No.2 and closer to the boundary with No.6, where the main house is set further back. The new platform and steps would provide access to the garden from the new extension reflecting the change in levels, a common feature of the area.
13. I accept that the proposed platform/steps would be closer to the boundary with the properties in Ashdene Avenue, but the difference compared to existing is modest and based on my observations on site and the topography of the area any increase in overlooking would, in my view, also be modest. For these reasons, the harm to the neighbours living conditions would not be sufficient on its own to justify the refusal of planning permission. As to noise generated by the proposal, there is no evidence before me to support the statement that this would be excessive or materially different to existing.
14. The Council also contend that the combined height of the proposed rear extension and new dormer would be overbearing and restrict the outlook from neighbouring properties. I do not agree. The depth of the rear extension is modest with its flat roof assisting in reducing in scale. It would be sited a reasonable distance from the boundary with the Ashdene Avenue properties and would not be overbearing or harmful to the outlook from the rear windows/gardens to those properties. Those findings equally apply to the new dormer in that it would not extend above the ridge of the host and would be sited within the roofscape of the main roof (as extended).

15. Turning to the matter of whether the new rear extension breaches the 45⁰ guideline this test is a useful rule of thumb in assessing building relationships and the impact on neighbours windows. However, it is one of a number of tests that are required in establishing whether there is a harmful loss of light. The Appellant's Grounds of Appeal (GOA) indicate that the depth of this extension was reduced to bring it in line with the 45⁰ guideline. This appears to be confirmed by the diagram on page 5 of the GOA. There is no similar diagram or other evidence before me to contradict or challenge the Appellants submissions.
16. Given the above and based again on my observations on site, I am satisfied that the proposed extension would not have a harmful impact on the living conditions of the neighbours at No.2. On the evidence before me, it appears that this aspect of the proposal meets the 45⁰ rule of thumb. Even so, the ground floor window to No.2 would, in my view, continue to receive a reasonable amount of uninterrupted light.
17. Accordingly, I find that the appeal proposal would be compliant with policy BSC21 of the BCS, policies DM27 and DM30 of the DMP, the SPD and paragraph 135 of the NPPF. These require new development, amongst other matters, to safeguard the amenities of the host and neighbouring occupiers, achieve an appropriate level of privacy, outlook and daylight for existing and proposed development and a high standard of amenity for existing and future users.

Other Matters

18. Concerns have been raised by interested parties in relation to the use of the host property as an Airbnb or for renting, impact on parking congestion and pressure on the local drainage system. There is no detailed evidence before me to suggest that any of these concerns would result in material harm and I note they are not matters that the Council have raised in their reason for refusal. Whether the host property is used as an Airbnb or for renting does not affect the assessment that is required of the acceptability of the appeal proposal, which is the approach that I have adopted above.

Conditions

19. The Council did not put forward any suggested conditions in their Questionnaire. I have, therefore, simply imposed standard conditions requiring the development to be carried out in accordance with the approved plans and for materials to match existing or otherwise be as shown on the approved plans. Both of these conditions are reasonable and necessary to secure a high quality development and to reflect the details included in the application.

Conclusion

20. For the reasons given above and having taken all other matters raised into account, I conclude that the appeal should be allowed.

G Roberts

INSPECTOR