
Appeal Decision

Site visit made on 16 October 2017

by Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24th October 2017

Appeal Ref: APP/F0114/D/17/3180934

58 Hillcrest Drive, Southdown, Bath BA2 1HE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Newman against the decision of Bath & North East Somerset Council.
 - The application Ref 17/01312/FUL, dated 16 March 2017, was refused by notice dated 5 May 2017.
 - The development proposed is for a loft conversion and erection of rear dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the rear dormer on the character and appearance of the host property and the wider area.

Reasons

3. The appeal property is an end of terrace of 3no. two storey properties of similar style to others on this estate. Of modern design, the uniformity of design of properties makes a positive contribution to the visual quality of the area. The proposed conversion of the loftspace that will create an additional en-suite bedroom would involve the construction of a dormer that would occupy a large proportion of the sloping roof and would extend from the ridgeline of the main roof.
4. I note the appellant's arguments that the proposed alterations would not be out of place given the presence of other dormers in the area and would help avoid unsightly extensions that could be built under permitted development rights. However I consider that the large dormer would dominate the existing roofscape and would unbalance the composition of this terrace. It would moreover harm the character and appearance of the wider area as the property whilst backing on to a garage court would be visible from adjoining streets and houses.
5. The proposed development would therefore conflict with policies D.4 and D.2 of the Bath and North East Somerset Local Plan (including mineral and waste policies). The former of these seeks, amongst other things, to ensure that development responds to the local context in terms of appearance. The latter

makes clear that development will only be permitted where the character of the public realm would be maintained or enhanced.

6. My attention has been drawn to a variety of other dormers in the area, including one on the same cul de sac as the appeal property and at least two in close proximity thereto. I am not aware of the background of these particular developments or whether they required planning permission. Nevertheless, in my view these other dormers have not necessarily maintained the character or appearance of the area and cannot therefore be taken as a compelling precedent for allowing the present appeal. I also note that the proposed dormer would not be readily visible from the public realm other than the garage court. The roofscape would however be visible from the wider area through gaps between dwellings on both Southdown Road and Hillcrest Drive.

Conclusion

7. Having regard to what I have found on site, the reasoning as set out above and considering all other matters raised, I conclude that this appeal should be dismissed.

Gareth W Thomas

INSPECTOR