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## Appeal Decision

Site visit made on 5 August 2020

**by J Gibson BUEP MPIA**

**an Inspector appointed by the Secretary of State**

**Decision date: 25 August 2020**

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**Appeal Ref: APP/F0114/D/20/3256074**

**Arundel, Church Lane, Bishop Sutton, Bristol BS39 5UP**

- 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 Colin Radforth against the decision of Bath & North East Somerset Council.
  - The application Ref 20/01239/FUL, dated 18 March 2020, was refused by notice dated 4 June 2020.
  - The development proposed is for the installation of 2 no. rear dormers (Retrospective).
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### Decision

1. The appeal is allowed and planning permission is granted for the installation of 2 no. rear dormers at Arundel, Church Lane, Bishop Sutton, Bristol BS39 5UP in accordance with the terms of the application, Ref 20/01239/FUL, dated 18 March 2020, subject to the following conditions:
  - 1) The development hereby permitted shall be carried out in accordance with the following approved plan: Dwg No ABS395UP-21, Issue A, dated 18-03-2020.
  - 2) The external surfaces of the development hereby permitted shall be constructed using external materials that match the existing materials and finished appearance of the original building.

### Procedural Matter

2. The above description of development has been taken from the submitted appeal form and the Council's decision notice as it more accurately describes the extent of development subject of this appeal. I note also that the erection of the subject dormer windows appeared to have already occurred, with only some external facing material and windows left to be installed. As such, I have determined the appeal on this basis.

### Main Issue

3. The main issue is the effect of the rear dormer windows on the character and appearance of the host dwelling and surrounding area.

### Reasons

4. The appeal site and surrounding area is characterised by a mix of detached dwellings with varied designs and sizes on spacious and verdant plots of land. The appeal site specifically comprises of a bungalow, referred to as Arundel, which is subject to several existing alterations and extensions. Of note, the

host dwelling is subject to a side extension, rear extension, a small dormer window on the front roof plane of the host dwelling and a small rear dormer on the rear roof plane of the side extension.

5. The two rear dormers subject of this appeal are located on the rear roof plane of the host dwelling and have a flat roof design consistent with the rear extension. The Council have described the two dormers as occupying the full width and slope of the original roof. However, I observed during my site visit that the two dormers maintained a comfortable setback from both the edge and below the ridge height of the host dwelling roof plane. The gap between the two dormer windows also helped break up the visual bulk and massing within the roof plane to collectively preserve the original roof form.
6. I note the Council's concerns over the lack of uniformity between the two rear dormers subject of this appeal and those established on the front roof plane and on the side extension. However, I observed that there were limited views from neighbouring properties into the rear garden of the appeal site, let alone of the rear facing roof plane, and that any potential views of rear dormers would be glancing due to the height and density of boundary fencing and landscaping. Views of the rear dormers would also be obscured from the street scene due to the existing side extension and the setback of the dormers from the edges of the roof plane.
7. As such, whilst I acknowledge that the design of the two dormers do not replicate those already permitted, it is my view that they successfully preserve the roof plane of the host dwelling, appear subservient along with the other extensions to the host dwelling, and would not appear out of character with the appearance of the host dwelling or surrounding area. I note also that I observed several similar dormer windows on the roof planes of other dwellings nearby and the generally varied designs and sizes of dwellings in the area, which in part has informed this position.
8. Accordingly, I am satisfied that the two rear dormer windows would not amount to harm to the character and appearance of the host dwelling and the surrounding area. It complies with Policies D2 and D5 of the Bath and North Somerset Council Placemaking Plan (adopted July 2017). These policies seek, amongst other things, to ensure extensions positively respond to and complement the local character of areas including the host building.

### **Other Matters**

9. The Stowey Sutton Parish Council and several interested parties have suggested that the two rear dormers subject of this appeal would conflict with policies under the Stowey Sutton Neighbourhood Plan (SSNP) (adopted September 2015 and updated December 2018). The Council identified the relevant SSNP policies in their Delegated Report but did not go on to identify any conflicts with those policies. Nevertheless, I have reviewed the relevant policies under the SSNP as part of my determination of this appeal and am satisfied that the proposal would not conflict with any of the suggested policies.

### **Conditions**

10. Given the retrospective nature of the appeal development it is not necessary to apply the standard three year time limit condition. It is however necessary to condition that the development be carried out in accordance with the approved

plan, for the avoidance of doubt and in the interest of certainty. A condition requiring the external surfaces of the development to match the existing building is also necessary to preserve the character and appearance of the host dwelling and surrounding area. These conditions comply with advice in the Planning Practice Guidance and the National Planning Policy Framework.

### **Conclusion**

11. For the reasons given above I conclude that the appeal should be allowed.

*J Gibson*

INSPECTOR