



Appeal Decision

Site visit made on 25 June 2025

by Alison Fish BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7TH July 2025

Appeal Ref: APP/F0114/D/25/3363881

Welbeck, Ham Lane, Paulton, Bristol BS39 7PL

- 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 L Joyner against the decision of Bath and North East Somerset Council.
 - The application Ref is 24/04158/FUL.
 - The development proposed is described on the planning application form as 'Raising of ridge to create living space in the loft area, roof pitch increased to 40 degrees. Dormer windows to front and rear elevations. Single storey extensions.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located in a predominantly residential area with a mix of dwelling types and sizes. The appeal property is located on the north west side of Ham Lane, which is characterised by detached bungalows. The spacious plots and siting of the bungalows means that the pitched roofs are a visible and dominant feature of the properties, when travelling along Ham Lane in either direction.
4. The proposal would result in a minor overall increase in the height of the roof. This would not be at odds with surrounding development, particularly as there are two storey dwellings on the opposite side of Ham Lane.
5. However, the proposed change to the form of the roof would result in the main ridge being replaced by a large flat section. In addition, a large flat roof dormer would extend along much of the rear roof slope with two smaller flat roof dormers to the front. Together, this would create a roof form which would appear bulky and out of character with the prevailing form of roofs in the locality.
6. Notwithstanding that the neighbouring property of 'Fairhaven' is slightly elevated above the appeal property, the relative positioning of the bungalows in their plots means that the altered roof form would be highly visible from the street and when travelling in either direction along Ham Lane. The proposed development would appear incongruous, and this could not be overcome by the use of tile hanging to the dormer windows, as suggested by the appellant.

7. I therefore conclude that the proposal is contrary to Policy CP6 of the Core Strategy for Bath and North East Somerset adopted July 2014, Policies D1, D2, and D3 of the Placemaking Plan for Bath and North East Somerset, adopted July 2017 and Policy D5 of the Local Plan Partial Update, adopted January 2023. Together, these policies seek to ensure that new development is of a high quality design which contributes positively to, and does not harm, local character and distinctiveness.
8. Policy D4 of the PMP relates to well-connected streets and spaces and does not appear to be relevant to the proposal before me.

Other considerations

9. I have been directed to a number of other properties in the area which have been extended. Although I do not have the full details of these before me, I was able to see a number of them during my site visit, including properties on Paulto Hill, Brookside Close, Hillside Close, Alexandra Park and Oaklands. Single storey, flat roof extensions are not comparable with the proposal before me, which is at roof level. Whilst dormer windows are not uncommon in the area, and there are examples of properties with dormers on both the front and rear roof slopes, I have not been directed to any examples which also include an extensive flat roof area to the main roof as proposed in this appeal. A development has been permitted at 13 Brookside Close but the substantive details of this are not before me.
10. The appellant has suggested that the dormer windows to the front elevation could have a pitch roof to match those on the neighbouring property. However, that proposal is not before me.
11. A lack of harm to the living conditions of neighbouring occupiers, weighs neither for or against the proposal and is therefore neutral in my assessment.
12. The appellant is keen to adapt the property to provide flexible living accommodation and improve its energy efficiency. However, there is nothing to suggest that the appeal scheme is the only way this could be achieved.
13. Part 12 of the National Planning Policy Framework (the Framework) seeks to achieve well-designed places. Whilst the appeal proposal may accord with some elements of the Framework, the appeal proposal would conflict with Paragraph 135 and fail to accord overall with the Framework for the reasons set out in this decision. Paragraph 139 of the Framework states that development that is not well designed should be refused.

Conclusion

14. The proposed development would be contrary to the development plan and there are no material considerations that outweigh this conflict. Consequently, with reference to Section 38(6) of the Planning and Compulsory Purchase Act 2004, the appeal is dismissed.

Alison Fish

INSPECTOR