



Appeal Decision

Site visit made on 24 September 2025

by R Cahalane BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 November 2025

Appeal Ref: APP/F0114/D/25/3366986

105 Holcombe Close, Bathampton, Bath and North East Somerset BA2 6UR

- 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 Jennifer Daly against the decision of Bath and North East Somerset Council.
- The application Ref is 24/02245/FUL.
- The development proposed is erection of single and two storey side extensions, addition of new flat roof dormers to existing property roof and associated external works.

Decision

1. The appeal is allowed and planning permission is granted for erection of single and two storey side extensions, addition of new flat roof dormers to existing property roof and associated external works at 105 Holcombe Close, Bathampton, Bath and North East Somerset BA2 6UR in accordance with the terms of the application, Ref 24/02245/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Background and Main Issue

2. As set out in the decision notice, the reason for refusal only explicitly refers to the impact on No 107 Holcombe Close in respect of loss of light, overshadowing and overbearing impact. Other neighbours and the local Ward Councillor have however raised similar and wider concerns in representation regarding impacts on No 105's living conditions, as well as those of other neighbouring properties.
3. Having regard to the above, and all submitted evidence before me, the main issue is the effect of the proposed development on the living conditions of nearby residents, with particular regard to daylight/sunlight, outlook, privacy and noise.

Reasons

4. The appeal site (No 105) and surrounding properties have irregular layouts in terms of plot shapes, positioning of dwellings and topography. No 105 is sited noticeably higher than No 107. The front elevation of this neighbour is tilted towards No 105, although it is mainly sited beyond No 105's dwelling and garage elevations. There is a hedge along the boundary between these two dwellings, running from the highway boundary and along the side of No 105's garage, with closeboard fencing beyond this garage. Land levels decline significantly towards the rear boundaries.
5. The proposed two storey side extension would be set in slightly from this side boundary and would be noticeably higher than the boundary hedging and No 105's garage. Due to the higher siting than No 107 and the site orientation, there would be some loss of sunlight, particularly during winter months. However, No 107's rear elevations face northeast away from No 105, and the side extension would be set

sufficiently away from No 107's front and side-facing windows to avoid adverse levels of sunlight loss. Sufficient morning and afternoon direct sunlight would therefore still be received by No 107 throughout the year.

6. The flat roof form and siting would also avoid an overly oppressive impact upon No 107's level of outlook. This neighbour's rear garden area is separated from the proposal by its driveway along the side boundary, and its garden and external seating area is at sufficient distance away to avoid significant overbearing impact.
7. Due to declining ground levels beyond, the existing access from the main dwelling of No 105 to its rear garden is via an external raised platform, with steps down to the garden. From this raised platform, I was able to see much of the main dwelling of No 107 and some of its garden. Access from the extended No 105 to its rear garden would be via a new raised platform and stairway. However, apart from a small area adjacent the rear garage of No 107, beyond its seating area, the proposed side extension would block views from the new raised platform.
8. Whilst the proposal contains rear elevation windows on both floors, they would be angled away from No 107's garden area. The proposed first floor front dormers would also be tilted away from the front elevation of No 107. For the above reasons, and subject to a planning condition restricting use of the proposed flat roof areas as a balcony, terrace, roof garden or similar external area, the proposal would provide better privacy for No 107 than as existing.
9. Even if some or all of the existing hedgerow within and along the side boundary cannot be retained in perpetuity, an appropriate level of outlook, natural light and privacy for No 107 would still be provided. The new windows already added to 105 does not alter this conclusion.
10. The proposed two storey side extension would be sited sufficiently away from the adjoining dwelling of No 103 to avoid adverse harm in terms of light loss and outlook. I was able to view this neighbour's rear garden from the existing raised platform. The proposed new raised platform and stairway would be closer to this neighbour, adjacent the rear garden side boundary. I am however satisfied that an appropriate privacy screen could be secured by means of a suitably worded condition, ensuring no adverse loss of privacy.
11. Due to the irregular plot layouts, the proposed single storey extension on the other side of No 105 would project beyond No 103's front elevation. The site orientation would however restrict light loss to late afternoon periods only. The proposed flat roof form would also limit this impact and would also avoid undue loss of outlook.
12. As already set out above, use of the proposed flat roof areas can be sufficiently controlled by means of condition. The proposal's layout and scale would therefore not lead to an adverse level of additional noise generation above the existing residential use. The overall proposal would be sited at sufficient distance from other surrounding neighbours to avoid adverse harm to living conditions.
13. I therefore conclude that the proposal complies with Policy D6 of the Council's Core Strategy and Placemaking Plan incorporating the Local Plan Partial Update 2023. This policy requires development to, amongst other things, provide appropriate levels of privacy, outlook and natural light, and to not cause significant harm to existing occupiers of residential premises by reason of loss of light, increased noise, overlooking, or other disturbance.

Other Matters

14. Although several nearby bungalows in Holcombe Close appear to have largely retained their original forms, I also noted a number of other flat roof dormers visible in the vicinity along Holcombe Close, including one example with contemporary fenestration. The land level of No 105 also declines significantly from the highway. The siting of the proposal on lower ground relative to the main dwelling of No 105, and the surrounding topography, would avoid adverse loss of views of the valley beyond. Given this context, the overall extensions to No 105 would not appear over-developed or over-dominant. Subject to a planning condition to secure appropriate external materials, the overall proposed extensions would maintain the character and appearance of No 105 and the surrounding area.
15. The proposed site plan (within Drawing No 010 Rev C) includes an enlarged parking area within the appeal site. This is sufficient to cater for the resultant size of No 105 whilst avoiding undue overspill parking on the highway, even when accounting for the loss of the existing garage. I am also satisfied that the cul-de-sac highway is of sufficient width to allow emergency services access, if needed, to neighbouring dwellings during construction works. There is no demonstrable evidence before me that the proposal would harm biodiversity or protected species.

Conditions

16. I have considered the Council's suggested conditions against the tests in the National Planning Policy Framework and the Planning Practice Guidance, and have amended their wording, where necessary. A condition specifying time limits for the development (condition 1) is necessary in the interests of planning certainty. Condition 2 is necessary to clarify the approved plan details. Condition 3 is necessary in the interests of the character and appearance of the area.
17. Condition 4 is necessary to ensure that an appropriate method of surface water drainage is installed. I have added reference to the side extensions hereby permitted, for clarity. Conditions 5 and 6 are necessary in the interests of living conditions of surrounding neighbours. I have amended condition 6 to require the submission of elevation and material details for the privacy screen on the boundary with No 103 Holcombe Close, to ensure that living conditions are protected. For precision, I have also added reference to the northeast side extension and to Drawing No 010 Rev C.
18. Construction works would inevitably at times be disruptive to existing residents. Such impacts would however be temporary and given the domestic scale of the proposed works, I am satisfied that matters concerning construction hours and noise can be adequately controlled by legislation outside of the planning process where necessary. A condition requiring a construction management plan is therefore unnecessary.

Conclusion

19. For the above reasons, the appeal is allowed.

R Cahalane

INSPECTOR

Schedule of Conditions

1. The development hereby permitted must be commenced not later than three years from the date of this permission.
2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the following approved plans: Drawing Nos 001; 010 Rev C; 011 Rev C.
3. No construction of the external walls of the development hereby permitted shall commence until a schedule of materials and finishes, and samples of the materials to be used in the construction of the external surfaces, including roofs, dormer cheeks and the driveway/parking permeable surface area, have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out only in accordance with the approved details.
4. No construction of the external walls of the development hereby permitted shall commence until a drainage strategy, showing how the surface water is going to be managed onsite and not allowed to discharge on to the public highway, has been submitted to and approved in writing by the Local Planning Authority. No occupation of the side extensions hereby permitted shall commence until the development has been constructed in accordance with the approved strategy.
5. None of the flat roof areas of the development hereby permitted shall be used as a balcony, terrace, roof garden or similar amenity area.
6. Prior to the first occupation of the northeast side extension hereby permitted, the privacy screen on the boundary with No 103 Holcombe Close (as indicated on Drawing No 010 Rev C) shall be erected in accordance with elevation and material details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the screen shall be installed in accordance with the approved details prior to first occupation and permanently retained.

*****End of Schedule*****