
Appeal Decision

Site visit made on 9 December 2025

by **J J Evans BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 December 2025

Appeal Ref: APP/F0114/D/25/3366747

Somerset Cottage, 14 Somerset Lane, Lansdown, Bath BA1 5SW

- 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 Ms Catherine Woodman against the decision of Bath and North East Somerset Council.
 - The application Ref is 24/03253/FUL.
 - The development proposed is a rear dormer to detached garage, installation of pv panels to front of garage; installation of timber driveway gate; existing front boundary wall to be repaired due to wall bulging, existing gated entrances infilled and made good. New gated entrance relocated within wall; installation of new dormers to front of dwelling, new porch canopy erected, installation of pv panels to front elevation, enlargement of rear dormer, installation of pv panels to dormer roof, proposed side extension; rear brick wall partially built up to allow for proposed side extension; and alterations to front elevation of existing outbuilding.
-

Decision

1. The appeal is dismissed insofar as it relates to the works to the garden walls, the installation of front dormers to the dwelling, the enlargement of the rear dormer and installation of pv panels to its roof, the side extension and associated alterations to the rear wall and existing outbuilding. The appeal is allowed insofar as it relates to the rear dormer to the detached garage, the installation of pv panels to the front of the garage, and the installation of a timber driveway gate.
2. Planning permission is granted for a rear dormer to the detached garage, the installation of pv panels to the front of the garage, and the installation of a timber driveway gate, at Somerset Cottage, 14 Somerset Lane, Lansdown, Bath BA1 5SW in accordance with the terms of the application Ref 24/03253/FUL and subject to the following conditions:-
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawings entitled: Existing site location plan, elevations and ground floor plan dwg no 280/101; Proposed garage floor plans and elevations dwg no 280/105/b; and Existing and proposed boundary wall dwg no 280/106/ a.
 - 3) No development above ground level shall take place until details / samples of the pv panels and materials to be used in the timber gate and in the external surfaces of the alterations and extension to the garage hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details / samples.

Preliminary Matters

3. 14 Somerset Lane is within the Bath Conservation Area, and Somerset Place is a terrace of grade 1 listed buildings. As required by Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), special regard has been paid to preserving or enhancing the character or appearance of a conservation area, and to preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
4. The description of works above is taken from the original application and includes reference to the provision of pv panels to the front elevation of the building. During the consideration of the original application, these panels were removed from the scheme, and the replacement porch was regarded as permitted development. This is the basis upon which the Council considered the scheme, and the appeal has been dealt with in the same way.

Main Issue

5. The main issue in this case is the effect of the scheme upon the character and appearance of the area, having particular regard to the effect upon the setting of the listed terrace of Somerset Place and whether the scheme would preserve or enhance the character or appearance of the Bath Conservation Area.

Reasons

6. The appeal property comprises a detached bungalow in a mostly residential area that is positioned upon a steeply sloping hillside. The bungalow is set back within its plot, and has an elevated position above Somerset Lane. Tall natural stone and brick walls define the boundaries of the garden, and there is a detached stone and tile garage to the front of the property with a parking space next to it.
7. The topography of the area is distinctive, and the steep nature of the hillside affords panoramic views out over the city. The steepness of the slope has formed a defining role in shaping the planned nature of the Georgian housing that characterises the area. There are rows and crescents of elegantly mannered Neo-classical terraces nearby, many of which have been built to capitalise upon the extensive and attractive views. The presence of these terraces upon a steeply sloping hillside, their repeated heights and harmoniously elegant forms and detailing, along with their construction from local stone, creates a unique and impressive historic character and appearance to the conservation area that is part of its significance.
8. The terraces dominate the area, and their imposing frontages contrast strongly with the plain, functional rears of these buildings. Rather than being constructed of ashlar stone with decorative detailing, to the rear the terraces are characterised by mostly coursed rubble stone, a lack of ornamentation, a variety of extensions and alterations, and rear gardens that often have access onto service lanes. This deliberate distinction is a repeated feature of the planned nature of the Georgian city and is part of the significance of the conservation area.
9. To the south of the appeal property is Somerset Place. This terrace is part of the long, sinuous line of terraces that follow a similar contour along the hillside. The serpentine line of these terraces culminates at the western end with the precisely curved row of Somerset Place, which is a long terrace comprising three storey

ashlar fronted houses with attics and basements. The age of the terrace, its position high up upon the hillside, along with its impressive, high quality, elegantly mannered form, and construction from local stone are all part of the special historic and architectural interest of this grade 1 listed building. The terrace has an imposing impact, and along with Lansdown Crescent it makes a landmark statement within the conservation area. The contrast of the plain functional rear of the terrace is also part of its special interest, as are the presence of deep gardens that back onto a deliberately constructed service lane. This clear separation of the public and private appearance and functioning of this listed terrace is part of its significance.

10. To either side of Somerset Lane there are a variety of dwellings and outbuildings, including some single storey homes that are positioned at the end of the gardens of Somerset Place. Piecemeal development has occurred along the lane, although it retains a legibly subservient relationship to the terrace, in part due to its width but also due to its enclosure between tall walls. The enclosure, position, and role of the lane forms part of the significance of the conservation area as well as contributing towards the setting of the listed terrace by reinforcing its imposing dominance within the area.

Extension and Dormers

11. The existing bungalow has a neutral impact within the conservation area and within the setting of the listed terrace, in part due to the presence of the tall walls that delineate the property, but also because of its modest size and simple form, and because it is set back away from the lane. However, this positioning would render the roof alterations clearly visible, and the presence of three large front facing dormers would give the bungalow a top-heavy, unbalanced appearance that would draw the eye. The central dormer would be overly large, extending from the ridge to the eaves, and such a bulky form would have an awkward appearance upon the modest nature of the host building. Whilst the size of the dormer is necessary to create a functional space, the large central dormer when combined with the presence of two other large dormers would overwhelm the front elevation of the building, giving the bungalow a conspicuous presence that would be to the detriment of the character and appearance of the conservation area and to the setting of the listed terrace.
12. Although there are a variety of ages and styles of buildings along Somerset Lane, the slope of the hillside along with the dominating size and linear prominence of Somerset Place is such that the rear of this terrace is clearly visible from the appeal property. Irrespective of the appellant's view that the rear of the terrace has a low heritage value as a result of repairs that have occurred to it following bomb damage in the Blitz, such alterations represent the historic layering of the terrace over time and are part of its historic interest. Even with these alterations, the terrace retains its essential form and imposing impact within the area. The unbalanced appearance the dormers would give to the bungalow would draw the eye, thereby detracting from the impact of the terrace and also the historic appearance and functionality of this part of the conservation area.
13. There are other buildings with dormers, but none of those present upon nearby homes have such a large dormer as the central one would be, nor do the others have such a concentrated cluster. The dormers within the top floor of Somerset Place comprise the use of the attic space of the terrace and are subservient to

each host building in terms of size and positioning, unlike those proposed. As such these comparisons do not form a binding precedent for allowing this element of the scheme.

14. A single storey extension is also proposed, and this would be in addition to the front dormers and the curiously contrived extension to the rear dormer that would be topped with pv panels. Taken as a whole the extended building would have a piecemeal form comprising a variety of discrete elements. Despite the use of high-quality materials, the overall effect would be of a substantially large and bulky building, and the existing landscaping and trees could not be relied upon to screen it for its lifetime. Given the size and top-heavy appearance of the extended bungalow, taken as a whole the building would have a harmful impact upon the conservation area and setting of the listed terrace, rather than a neutral one.
15. The National Planning Policy Framework (the Framework) requires that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight. In this case the scheme would lead to less than substantial harm given the size of the works compared to that of the conservation area and to the setting of the terrace, and these harms would be at the lower end of the category. Nevertheless, they would still be considerable given that the Framework attributes great weight to an asset's conservation, and they have to be weighed against the public benefits of the scheme.
16. The alterations to the bungalow would provide an improved living experience and enjoyment of the property for the appellant as well as optimising the practical use of available space. However, such benefits would be personal rather than public ones and would not outweigh the considerable harms to the conservation area and to the setting of the listed terrace.
17. For these reasons, the scheme would unacceptably impact upon the character and appearance of the area and would not preserve the setting of Somerset Place, nor preserve or enhance the character or appearance of the conservation area. The suggested conditions would not mitigate these harms. There would be conflict with the Act and with the Framework, and also with Policy D5 of the Bath and North East Somerset Local Plan Partial Update (2023) (LP) and Policy HE1 of the Bath and North East Somerset Placemaking Plan (2017) (PP). As these policies require, amongst other things, that extensions must complement and enhance the host building, and that development will be expected to preserve or enhance the special character and appearance of the conservation area and have no adverse impact upon the special architectural and historic interest of listed buildings, there would be conflict with these requirements.

Walls

18. The Council has not objected to the creation of a new pedestrian gate, nor to increasing the height of the walls or repairs to it. However, the creation of a pedestrian access in the front boundary wall would necessitate land level changes, associated engineering works, and retaining walls, and none of this detail has been provided. As the existing wall performs a retaining function, the absence of details demonstrating that it would be structurally capable of accommodating such works is concerning, particularly given the positive contribution it makes to the

area. Similarly, it has not been demonstrated that the rear garden wall would be structurally capable of accommodating the garden room extension.

19. Having regard to the ambiguities that would arise from the absence of such detail, conditions would be inappropriate as there would be no certainty as to the structural integrity of the walls to accommodate the development, nor is there clarity as regards the appearance of the works and how they would impact upon the conservation area and setting of the listed terrace. There would be public benefits arising from the repair works, albeit repairs could occur irrespective of the appeal scheme. Although the harms would be at the lower end of less than substantial, for the reasons given they would not outweigh the considerable harm to the conservation area and to the setting of the listed terrace. There would thus be conflict with the requirements of the Act and with the objectives of the above referenced LP and PP policies.

Garage

20. Alterations to the garage include the creation of a rear dormer with a door, pv panels upon the front roof slope, blocking up a side window, and the erection of a gate to the parking space. Within Schedule 2 Part 14 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) pv panels would not be permitted development subject to a number of caveats including the degree of projection of the panels beyond the roof slope. Whilst the Council consider the panels to be permitted development, the appeal evidence does not confirm that this would be the case. Notwithstanding this, the panels would be centrally positioned upon the roof slope facing the lane as well as being set down below the ridge and above the eaves. The panels would have a subservient appearance upon a legibly ancillary and modest outbuilding, and there are other arrays on neighbouring properties. They would thereby have a neutral impact upon the character and appearance of the area, upon the conservation area, and upon the setting of the listed terrace.
21. As regards the dormer, this would be centrally positioned on the rear of the garage. The pitched roof dormer would have a legible physical and functional subservience to the host building and to the bungalow. Its modest size would be proportionate to that of the garage, and the use of tile, lead and timber would harmonise with the materials found both within the garage and within nearby outbuildings. The works would have a neutral impact upon the character and appearance of the area and upon the designated heritage assets.
22. Within the walls to either side of the lane there are a variety of mostly timber gates. A timber gate to the parking space would create a sense of enclosure both to the property and to the lane, and as such would harmonise with the nature of this historic service lane and enhance the character and appearance of the area.
23. The alterations to the garage and the provision of the gate would preserve the character and appearance of the conservation area and the setting of the listed terrace. These elements of the scheme would meet the requirements of the Act and would also accord with those of LP Policy D5 and PP Policy HE1.

Other Matters

24. The appeal property is within the City of Bath World Heritage Site, and amongst other things, the planned nature of the Georgian city and the prevalence of Neo-

classical buildings are part of its outstanding universal value. Notwithstanding the harms to the conservation area and to the setting of the listed terrace, the size and nature of the extensions and alterations to existing twentieth century buildings would have a neutral impact upon the outstanding universal value of the World Heritage Site.

Conditions

25. The conditions suggested by the Council have been considered against paragraph 57 of the Framework. Where necessary and in the interests of clarity and precision they have been altered to better reflect these requirements.
26. The standard time condition has been imposed, as has one requiring the development to be carried out in accordance with the approved plans that specifically refer to the garage and gate, so as to avoid doubt and in the interests of proper planning. Details of the pv panels and of the materials for the gate and works to the garage have also been required, to ensure that they do not detract from the setting of the listed terrace nor from the character and appearance of the conservation area.

Conclusion

27. The scheme involves a number of different elements that are physically and functionally independent. In this respect the alterations to the garage and provision of a gate to the driveway are clearly severable from the other works. Therefore, a split decision is appropriate in this case and planning permission is granted for the gate and alterations to the garage. The appeal is dismissed and planning permission is refused with regard to the works to the garden walls, the installation of front dormers to the dwelling, the enlargement of the rear dormer and associated pv panels, and the side extension and associated alterations to the rear wall and existing outbuilding.
28. Thus, for the reasons given above, and having considered all other matters raised, the appeal is part allowed and part dismissed.

J J Evans

INSPECTOR