The Planning Inspectorate

Appeal Decision

Site visit made on 2 February 2021

by Helen B Hockenhull BA (Hons) B. Pl MRTPI

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

Decision date: 15 February 2021

Appeal Ref: APP/A2335/D/20/3262415
30 Bay View Avenue, Slyne LA2 6JS

- 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 Jonathan Kidd against the decision of Lancaster City Council.
- The application Ref 20/00728/FUL, dated 14 July 2020, was refused by notice dated 8 September 2020.
- The development proposed is a single storey rear extension and rear dormer and erection of a single storey garage to the side.

Decision

1. The appeal is dismissed insofar as it relates to the rear dormer and planning permission is refused. The appeal is allowed insofar as it relates to the single storey rear extension and single storey garage to side and planning permission is granted for the single storey rear extension and the single storey garage to side at 30 Bay View Avenue, Slyne LA2 6JS in accordance with the terms of the application, Ref 20/00728/FUL, dated 14 July 2020,and the plans submitted with it, so far as relevant to that part of the development hereby permitted and subject to the following condition:

1) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural matter

2. The description of development as stated on the original planning application form has been revised. The description in the banner heading above is taken from the Council's Decision Notice, though I have made further amendments. I have omitted the reference to the application being 'retrospective'' and for the 'retention' of the proposal as they are not descriptive of the development. Nonetheless, the works have commenced, which I was able to view at the time of my site visit. I have considered the appeal on this basis.

Main Issue

3. The main issue in this case is the effect of the development on the character and appearance of the host dwelling.

Reasons

4. The appeal property comprises a detached dormer bungalow with render and pebble dashed walls and a grey concrete tile roof. The plot drops down to the rear with steps leading down to the rear garden area.

5. The Council's main concern about the proposal relates to the interconnected nature of the development, with the single storey rear extension and dormer appearing as bulky, boxlike additions dominating the rear elevation. Whilst visually the rear extension and the dormer appear to be connected, my observation from the submitted plans and my site visit, confirm that this is not the case.

6. Taken together however, the two elements of the scheme appear out of scale and disproportionate to the modest host dwelling. This is exacerbated by the fact that the dormer dominates the roof slope with no eaves being visible to provide a visual break. Whilst views of the extension and dormer from the public domain are limited, the development would cause harm to the character and appearance of the host property.

7. Taking each part of the scheme individually, the single storey rear extension is approximately 4 metres in length and extends across the full width of the dwelling. It has a footprint of around 35.4 square metres and represents an increase of the floor area of the host property of approximately 42%. I do not consider this to be unreasonable or out of scale with the existing bungalow.

8. The level differences between the dwelling and the garden mean that to achieve the same internal finished floor level, the extension is raised above the natural ground level and steps are installed to access the patio door. This inevitably results in the development appearing overly large and dominant on the rear elevation, especially when viewed from the lower garden. Looking from the side elevations, the extension appears more in scale and proportionate to the host dwelling.

9. Bringing the above points together, I conclude on balance, that the rear extension would be acceptable. It would not in isolation, cause harm to the character and appearance of the property. In coming to this view, I have noted the appellant's comment that an extension of this size and height, without objection from surrounding neighbours, would likely have been permitted under the Prior Notification process.

10. The Council has raised no objection to the proposed single storey garage to the side of the extension, which has yet to be completed. I have no reason to disagree with this view.

11. The rear dormer is approximately 2.45 metres in height, projecting around 3.45 metres from the rear roof slope. Whilst it is set down from the ridge of the host dwelling, it extends across the width of the roof and dominates the roof. It appears as a prominent addition, out of proportion with the existing roof slope.

12. The appellant has brought my attention to a number of dormer extensions in the locality. Many of these I observed on my site visit. Whilst the majority extend across the whole roof slope, there is some variety in scale,

and they do not appear to be directly comparable to the dormer in this case. Having regard to the character of the surrounding area, a rear dormer is in principle acceptable. However, for the reasons given above, the scale and form of the dormer in this appeal, would be detrimental to the character and appearance of the host dwelling.

13. The Council in their evidence has commented on the window design, that it appears cluttered and inconsistent in approach. The submitted plans however illustrate that the existing rear elevation of the property had a range of fenestration with different sizes and design.

14. The number of window openings does not appear to be excessive or cluttered bearing in mind the internal layout. However, in terms of placement, there is some inconsistency in that only one of the first-floor windows with double doors and balcony is centred above a ground floor window of similar size. The small bathroom window at first floor appears out of proportion with the other first floor windows resulting in an uncoordinated appearance. This contributes to the adverse impact of the proposal on the character and appearance of the host dwelling.

15. In summary, I have found that the single storey rear extension and side garage are acceptable. They would comply with Policy DM29 of the Review Development Management Development Plan Document 2020 and section 12 of the National Planning Policy Framework (the Framework) which seek to promote good design and achieve well designed places. The rear dormer however causes harm to the character and appearance of the dwelling and would fail to comply with the above policies.

16. As I have already stated, the two elements of the development are not interconnected and are severable. This leads me to conclude that a split decision is appropriate in this case. Accordingly, I consider the appeal should succeed in relation to the single storey rear extension and garage to the side but fail in relation to the rear dormer.

Conditions

17. I have had regard to the conditions suggested by the Council in light of the Framework and Planning Practice Guidance. As the development has commenced, the standard time condition is not necessary. A condition specifying relevant plans has not been imposed as progressing the works in accordance with the submitted plans is part of the formal decision above. A condition requiring materials to match that of the existing dwelling is necessary in the interests of the character and appearance of the dwelling.

Conclusion

18. The rear dormer would have a harmful effect on the character and appearance of the host property. There are no other considerations which would outweigh these findings nor the conflict with the Development Plan. Accordingly, in relation to the rear dormer, I dismiss the appeal. The element of the appeal which relates to the single storey rear extension and single storey garage to the side is allowed in accordance with my formal decision above.

Helen Hockenhull INSPECTOR