



Appeal Decision

Site visit made on 29 November 2021

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd December 2021

Appeal Ref: APP/N4720/D/21/3281380

20 Lakeside View, Rawdon, Leeds, LS19 6RN

- 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 Mrs Ketil Merdani against the decision of Leeds City Council.
 - The application Ref 21/03791/FU, dated 29 April 2021, was refused by notice dated 26 July 2021.
 - The development proposed is a two storey rear extension and part garage conversion.
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Decision

1. The appeal is allowed, and planning permission is granted for a two storey rear extension and part garage conversion at 20 Lakeside View, Leeds, LS19 6RN in accordance with the terms of the application, Ref 21/03791/FU, dated 29 April 2021, 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 the following approved plans: Existing Site Plan Drawing No. 20-164-01; Proposed Site Plan Drawing No. 20-164-02 Rev A; Existing Ground Floor Plan Drawing No. 20-164-03; Existing First Floor Plan Drawing No. 20-164-04; Existing Roof Plan Drawing No. 20-164-05; Proposed Ground Floor Plan Drawing No. 20-164-06 Rev A; Proposed First Floor Plan Drawing No. 20-164-07 Rev A; Proposed Roof Plan Drawing No. 20-164-08; Existing Elevations Drawing No. 20-164-09; and Proposed Elevations Drawing No. 20-164-10 Rev A.
 - 3) The materials to be used on the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matter

2. The appellant raised concerns over the Council's handling of the case, including the inconsistency between the pre-application advice and the decision made on the application and the length of time it took to be determined. These are matters that would need to be raised with the Council in the first instance and in determining the appeal I have only had regard to the planning merits of the case.

Main Issues

3. The main issues in the appeal are:

- The effect of the proposal on the character and appearance of the host property and surrounding area; and
- Whether the proposal would provide adequate living conditions for future occupiers with particular regard to outlook and light.

Reasons

4. The Council raised no issues with the conversion of the rear of the garage to provide a study. Apart from the addition of a window to the rear elevation, this part of the proposal would not alter the external appearance of the dwelling. From what I saw and read I agree with the Council's conclusion on this aspect of the development and so my decision focusses on assessing the impact of the rear extension.

Character and appearance

5. The appeal property is a detached house located on a corner plot at the end of a cul-de-sac. It is set back in relation to the other houses on this side of the road and is a relatively shallow dwelling whose rear elevation is only a short distance to the rear boundary. Beyond the rear garden is a small lake and open land that is in the Green Belt. The rear elevations of the properties can be seen from a footpath on the far side of the lake.
6. The proposed rear extension would be the full width of the house and would have a pitch roof at 90 degrees to the main roof on the property. Although not the full width of their host properties, both Nos 16 and 18 have projecting rear elements which create gable features on the roof. To the other side of No 20, one property is gable ended, one has a wide gable element, and another has dormer windows. Given the range of roof types and forms found in the immediate vicinity, the proposed gabled ended extension would not appear an incongruous feature on the house or in the area.
7. Given it would extend the full width of the house, the extension would be a large addition to the rear of the dwelling. However, its depth would still be proportionate to the depth of the host property. Whilst the pitch of the roof would be shallower than that on the main house, that is also the case for the roofs on the projecting rear elements on the nearby houses and so the proposal would not appear out of keeping.
8. Although larger than the rear garden of No 20, the rear gardens of other properties on this side of Lakeside View are modest in size and many have detached garages located close to the rear boundary. Unlike the properties on Larkfield Road that also back onto the lake, and whose rear gardens have limited boundary treatment to the lake, the rear boundaries on Lakeside View are marked by a low wall that is often supplemented by a lattice fence. Whilst only modest in height this wall creates a hard boundary between the houses and the lake. Although this hard boundary is softened by the vegetated bank between it and the lake, the rear gardens of the properties on Lakeside View do not contribute to the lakeside setting in the same way as those on Larkfield Road.

9. The existing space between the host property and rear boundary is hard paved and combined with the boundary treatment, this area does not at present contribute to a soft edge between the estate and the lake and open land beyond. Given this, whilst the extension would occupy much of the space between the existing house and the rear boundary, it would not be detrimental to the character of the area.
10. Moreover, from the footpath on the other side of the lake the fact that the existing dwelling is closer to the rear boundary than the other houses is not readily discernible. As such, whilst the proposal would make the house even closer to the boundary, I am satisfied that this too would not be particularly noticeable to those using the footpath. Given the distance between the site and the footpath, the extension would not make the resulting house appear overly dominant or out of character with the pattern of development along Lakeside View.
11. Consequently, I consider that the proposal would not harm the character and appearance of the host property or the surrounding area. Therefore, it would not conflict with Policy P10 of the *Leeds Core Strategy (as amended by the Core Strategy Selective Review 2019) (adopted September 2019)*, Policies GP5, BD6 and N24 of the *Leeds Unitary Development Plan (Review 2006) (adopted July 2006)* (UDP), Policy HDG1 of the *Householder Design Guide (adopted April 2012)* or the *Greening the Built Edge Supplementary Planning Guidance (undated)* which, amongst other things, require developments to provide good design that respects the host property and the local area, and assimilate into the landscape. Nor would it be contrary to paragraph 130 of the *National Planning Policy Framework* (the Framework) which seeks to ensure that developments are sympathetic to the character of the built environment and the landscape setting.

Living Conditions

12. The rear elevation of the extension would have a number of windows which would serve habitable rooms. At present the height of the rear boundary is such that, even though the windows on the ground floor would be close to the boundary they would still receive a good amount of light and have an attractive outlook across the lake.
13. There is a small, vegetated bank between the rear boundary and the lake. At present the height of the vegetation is limited and so it does not affect light or outlook. However, even if this should change, the plans show that at ground floor level the rooms would also have windows on the other elevations. This would ensure the rooms had a satisfactory outlook and level of light.
14. I accept that future householders could erect a high fence under permitted development rights. Given the attractive view the properties enjoy across the lake I consider this unlikely but even if they did choose to do so at a future date, they would do so aware of the impact it would have on their living conditions.
15. Therefore, I consider that the proposal would provide adequate living conditions for future occupiers of the dwelling. Accordingly, there would be no conflict with Policy GP5 of the UDP which requires, amongst other things, that proposals should avoid causing a loss of amenity. Nor would it conflict with the

Framework (paragraph 130) which seeks to ensure developments have a high standard of amenity for existing and future users.

Conclusion and Conditions

16. For the reasons set out above I conclude the appeal should be allowed.
17. As well as the standard implementation condition, to provide certainty it is necessary to define the plans with which the scheme should accord. In the interests of the character and appearance of the area a condition is required to control the external appearance of the proposal.

Alison Partington

INSPECTOR