



Appeal Decision

Site visit made on 16 December 2021

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17/02/2022

Appeal Ref: APP/N4720/D/21/3284857

Lyncroft, Scarsdale Lane, Bardsey, Leeds, LS17 9BH

- 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 Dr Muhammad Rahman against the decision of Leeds City Council.
 - The application Ref 21/05434/FU, dated 19 June 2021, was refused by notice dated 15 September 2021.
 - The development proposed is described on the application form as 'two storey side extension with single storey extension to front of property to replace existing structurally unsafe single storey games room. Including erection of previously consented pitched roof double garage within two storey side extension'.
-

Decision

1. The appeal is allowed and planning permission is granted for two storey part single storey front/side and rear link extension incorporating new a double garage to rear at Lyncroft, Scarsdale Lane, Bardsey, Leeds LS17 9BH in accordance with the terms of the application, Ref 21/05434/FU, dated 19 June 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Map dated 19.06.21; Site Block Plan dated 19.06.21; Proposed Plans Rev B dated 09.09.21; Proposed Elevations Rev B dated 09.09.21.
 - 3) The external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The Council have described the development as 'two storey part single storey front/side and rear link extension incorporating new a double garage to rear'. I note that the appellant has also utilised this description on their appeal form. I consider that this revision provides a succinct and accurate description of the proposal and I have therefore determined the appeal on this basis.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the host property and its setting.

Reasons

4. The appeal property is a large detached two storey dwelling with a stone and slate external material finish and an arts and craft architectural style. It also has a gable feature on its front elevation which has ground floor and first floor windows. There is also a relatively small dormer window set within its front roof slope and a flat roof single storey element to the side of the building. The surrounding area is predominately residential with the nearest properties being large, detached dwellings, with varied external finishes and architectural styles, facing the street on both sides of Scarsdale Lane.
5. The proposal would extend the side element outwards and upwards to create a new garage and playroom on the ground floor and two en suite bedrooms and a study on the first floor. There would be large dormer window on the outer roof slope of this extension which would serve the stairs/landing and en suite bathrooms. This is the element of the proposal which the Council have found unacceptable due to its design.
6. However, even though its window panels would be shorter than those on the corresponding dormer windows on the other side of the extension they would be a similar size to those of the existing dormer on the front roof slope. In addition, they would not be significantly shorter than the dormers on the other side of the proposed side extension. As a result, its features would nonetheless resemble the predominate arts and crafts styling of the original building albeit with a slightly less vertical emphasis.
7. Furthermore, the proposed dormer window on the outer side elevation would also give the proposed two storey part single storey front/side extension more visual symmetry when viewed from the front. Moreover, given its material finish and design I consider that the proposal would also visually complement those of the rest of the proposed development and that of the existing building. Consequently, I find that the proposed dormer window would not be a discordant addition to the building, and that it would also not appear visually out of proportion to the rest of it.
8. I note that the proposed dormer would not be set up as high from the eaves as the other dormer windows. However, it would not be substantially lower than these other dormers. Furthermore, the guidance in the SPD relating to having dormer windows set up from the eaves level related to rear dormers. In any event the proposed dormer would be set down from the roof ridge as this element of the guidance also requires. Moreover, the guidance which relates to proposed dormers on the side of properties states that they should be modest in size. As a result, in the context of the large, proposed extension I consider that the proposed dormer window would be of a relatively modest size which would accord with this part of the SPD.
9. I also note that the proposal would be the only window on an otherwise blank gable elevation. However, several of the dwellings nearby have a window on their gable elevations, with some of them having more than one. The appeal property also has a gable feature with windows to its existing front elevation. As a result, I consider that the proposed dormer would not look out of place in its position on the gable end of the proposed extension.

10. On my visit I saw that there were examples in the area of other dormer windows that were larger than the proposed dormer, which were also clearly visible from the street such as those at no. 1 Congreve Way. Additionally, as highlighted in their officer report, given its location even though the proposal would be visible from the Scarsdale Lane it would be screened by the mature vegetation on the site boundaries for a good portion of the year. Furthermore, even if it was not well screened, given my findings above I consider that it would not be a discordant addition to the street scene either.
11. As a result, I find that the proposal would not have an adverse visual impact. I therefore conclude that the proposed development would not materially harm the character and appearance of the host property or its setting. Accordingly, it would not conflict with the relevant requirements of policy P10 of the adopted Core Strategy, policy BE1 of the Bardsey Neighbourhood Plan, saved policies GP5 and GP6 of the adopted Unitary Development Plan and policy HDG1 of the SPD. It would also accord with paragraph 130 c) of the National Planning Policy Framework.

Conditions

12. In addition to the standard implementation condition, I have imposed a necessary condition to define the plans with which the scheme should accord in the interest of precision. I have also imposed a condition specifying that the materials match those of the existing building in the interests of the character and appearance of the area.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

C Coyne

INSPECTOR