
Appeal Decision

Site visit made on 17 August 2021

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 September 2021

Appeal Ref: APP/B0230/D/21/3272771
26 Norfolk Road, Luton LU2 0RE

- 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 Ms Rose Hope against the decision of Luton Council.
 - The application Ref 21/00077/FULHH, dated 12 January 2021, was refused by notice dated 23 March 2021.
 - The development proposed is erection of two front dormer windows and a rear dormer with Juliet balcony and single storey rear extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have used the Council's description of the development in reaching my decision as it more fully describes the details of the development than that given on the original planning application form. The appellant's appeal form also makes reference to the updated description.

Main Issues

3. The main issues are the effect of the proposed development on:
 - (i) the character and appearance of the host property and the area, and
 - (ii) the living conditions of the occupiers of the neighbouring property at No. 28 Norfolk Road with particular regard to light and outlook.

Reasons

Character and appearance

4. The appeal property is a two storey semi-detached dwelling with a single storey flat roofed extension at the rear. It is located in a mature well-established residential area, typically characterised by semi-detached and terraced properties set back from the road behind a front garden/driveway. The surrounding semi-detached properties are of comparable scale and form, with distinctive double projecting gabled front bay windows and gabled tiled roofs.
5. The proposal would involve the construction of a single storey rear extension and the conversion of the roof space into habitable use with roof alterations including front and rear dormer extensions. The 2no. gabled fronted dormers

on the front roof slope and 1no. flat roof dormer on the rear roof slope would be located centrally within the roof planes, set in from the eaves and stepped down below the ridge line of the host property.

6. Although the proposed front dormers would be set in and stepped down, the proposed roof additions would result in a material alteration to property's gabled roof, which currently makes a positive contribution to the roofscape of the host property. The proposed front roof dormers, by virtue of their scale, siting and design, would fail to achieve an appropriate degree of subordination to the host property and would create an unbalanced and awkward appearance set against the distinctive gabled bayed frontage, that would detract from the architectural integrity of the host property.
7. These shortcomings would be exacerbated by the proposal's prominent position, which would be visible from a number of public vantage points along Norfolk Road. As such, I consider that the proposed front dormers would result in incongruous and out-of-keeping additions that would cause unacceptable harm to the host property and the area.
8. I have considered the appellant's arguments that the scale, design and proportions of the proposed front dormers have been carefully considered in order to minimise any adverse impacts on the host property and the area. However, whilst the use of matching materials and fenestrations would assist in integrating the proposal with the host property and the area, these aspects do not overcome the adverse effects outlined above.
9. Consequently, I conclude that the proposal would result in harm to the character and appearance of the host property and the area. It would be contrary to the overall aims of Policies LLP1, LLP19 and LLP25 of the Luton Local Plan 2017 (LP) which, amongst other things, require development proposals, including extensions, to be of a high quality design that improve or enhance the distinctiveness and character of the area. In addition, the proposal would not accord with the National Planning Policy Framework 2021 (the Framework) that developments should seek to secure a high quality of design (paragraph 126) that are sympathetic to the local character (paragraph 130).

Living conditions of the occupiers of the neighbouring property

10. The proposed single storey rear extension would be located adjacent to the two storey property at No. 28 Norfolk Road (No. 28), to the south-east of the site. The adjoining property at No. 28 has a small single storey rear extension leading out to a small patio area and enclosed garden area at the rear. The proposed rear extension would be inset from and project out about 4.4m along the common shared boundary with No. 28 and would be separated from the rooms and garden at the rear of the adjacent property by a high wall and close boarded fence running between the properties.
11. Whilst I accept that there would be some impact from the development, given the proposed design and layout of the development, set in, together with the boundary treatment, the separation distance between the properties and the orientation of the buildings, I consider that the proposed rear extension would not result in significant loss of light to the main habitable rooms and gardens at the rear of No. 28, nor significantly dominate the views to cause an overbearing effect and an unacceptable sense of enclosure at the rear of

No. 28. The outlook at the rear of No. 28 is already toward the boundary wall/fence and the appeal site would be separated by the garden area at the rear of No. 28.

12. Consequently, I conclude that the proposed rear extension would not result in an unacceptable impact on the living conditions of the occupiers of the neighbouring property at No. 28 Norfolk Road with particular regard to light and outlook. It would be consistent with Policies LLP1, LLP19 and LLP25 of the LP which seek, amongst other things, to ensure that development, including extensions, create quality places that do not adversely affect the amenity of nearby occupiers. In addition, it would accord with the Framework that development should seek to create places that promote health and well-being, with a high standard of amenity for existing and future users (paragraph 130).

Other Matters

13. I have noted the other developments in the area drawn to my attention by the appellant. However, the various roof extensions and alterations on Norfolk Road and Durham Road have different development characteristics to the appeal scheme. In any event, each proposal falls to be assessed primarily on its own merits and I am unaware of the full circumstances associated with these other cases.
14. I note the appellant's comments regarding the various benefits arising from the proposal including the scheme's high quality design and to create additional accommodation to meet the needs of the appellant. While I have given them some weight, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

15. Notwithstanding my findings on the lack of significant harm to the living conditions of the occupiers of the neighbouring property, this is significantly outweighed by the harm found regarding the character and appearance of the host property and the area. The proposal would conflict with the development plan taken as a whole. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR