



Appeal Decision

Site visit made on 14 December 2021

by A Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 16 December 2021

Appeal Ref: APP/B0230/D/21/3278953

26 Bishopscote Road, LUTON, LU3 1NY

- 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 Salim Uddin against the decision of Luton Borough Council.
 - The application Ref 21/00663/FULHH, dated 7 May 2021, was refused by notice dated 5 July 2021.
 - The development proposed is extension to existing rear dormer window.
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Decision

1. The appeal is allowed, and planning permission is granted for extension to existing rear dormer window, at 26 Bishopscote Road, Luton, LU3 1NY, in accordance with the terms of the application, Ref: 21/00663/FULHH, dated 7 May 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: 01/04, 02/04, 03/04 and 04/04.
 - 3) 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.

Main Issue

2. The effect of the proposal upon the character and appearance of the existing dwelling.

Reasons

3. The appeal building is located in a residential area that is characterised by semi detached and terraced dwellings. Many have been extended, including the appeal building which has been extended to the front, side and rear. A large rear facing roof extension, referred to as a dormer, currently occupies most of the building's rear roof slope.
4. The proposal would see the rear dormer extended to the side, over the remaining rear roof area that covers the existing side extension. The proposed addition would take the same form as the existing dormer. The resulting flat roofed dormer would occupy almost the entire rear roof slope of the dwelling. I accept that the proposal would add to the bulky form of the existing dormer. However, the extension would be relatively modest when compared with the very large size of the existing dormer. The extended dormer would only be

viewed from private rear gardens, and would sit alongside a similarly large dormer on the attached dwelling.

5. I accept that almost all of the rear roof slope would be covered, however the pitched roof form would be retained, and where visible from the road, the side gable of the dwelling would still be fully expressed. The proposal would not increase the vertical scale of the building, as the existing dormer already gives the impression of a full three floors of accommodation when viewed from the rear garden.
6. I note that the proposal would extend over the existing two storey side extension. The existing extension is in line with the original building and follows the same roof plane. Thus, there is little to identify it as an extension to the original building. As a result, the proposal would be of a similar appearance to many nearby examples of buildings that have received substantial roof extensions that occupy the whole rear roof slope.
7. In summary, the proposal would not harm the character or appearance of the existing dwelling. It would accord with Policies LLP1, LLP19 and LLP25 of the Local Luton Plan 2011-2031 and Section 12 of the National Planning Policy Framework (the Framework), which together seek to ensure that development proposals are designed to a high quality, and consistent with and proportionate to the existing dwelling.

Conditions

8. I have had regard to the planning conditions suggested by the Council. I have considered them against the tests in the Framework and the advice in the Planning Practice Guidance. I have imposed a condition specifying the approved plans as this provides certainty. I have also imposed a condition to ensure that matching materials are used to safeguard the character of the building and the area.

Conclusion

9. For the reasons above, the appeal should be allowed.

A Tucker

INSPECTOR