
Appeal Decision

Site visit made on 4 February 2022

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 February 2022

Appeal Ref: APP/B0230/D/21/3287529

4 Wychwood Avenue, LUTON, LU2 7HU

- 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 Mamnun Khan against the decision of Luton Borough Council.
 - The application Ref 21/01301/FULHH, dated 16 September 2021, was refused by notice dated 1 November 2021.
 - The development proposed is the erection of a rear dormer and two front rooflights.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposed dormer and rooflights on:
 - The character and appearance of Wychwood Avenue, and
 - The visual amenities of adjoining properties.

Reasons

3. No 4 is a semi-detached house situated on the eastern side of Wychwood Avenue. It has a two-storey side extension set back from the main front elevation of the house and set down a little from the main roof ridge. It also has a single-storey, full-width rear extension. The side extension is built up to the boundary with the adjacent No 6. The main part of the dwelling has a hipped roof with front gable above the two-storey bay. The side extension has a gable end. Wychwood Avenue is typified by semi-detached and detached houses, some with two-storey side extensions.
4. The proposed development would involve the construction of a full-width dormer across the rear roof slopes. The difference in height between the main roof ridge and that of the side extension means that the dormer has two different heights, both set just a little below the respective ridge levels. There would be two rooflights inserted into the front roof slopes.
5. Policy LLP1 of the Council's Local Plan (LP) indicates that new development should preserve or improve the character of the area and that they should respond to and enhance local character. Policy LLP19 relates to extensions to dwellings and indicates that the scale, mass, and design should be consistent

with and proportionate to the principal dwelling, surrounding properties, streetscape and character of the area. Furthermore, the extension should be of ancillary scale to the original building. Policy LLP25 indicates that development should enhance the distinctiveness and character of an area by responding positively to the townscape, street scene, site/building context, form, scale, height, pattern and materials, and distinctiveness of the area.

6. The Council contends that the proposal would result in a discordant form of development which would be out of scale and character with the existing dwelling, and that it would injuriously affect the visual amenities of the adjoining properties by reason of an incongruous and unsympathetic addition to the existing form of the original dwelling.
7. The appellant contends that the proposed dormer would be subservient to the main dwelling and that there are other examples of large dormers at a number of dwellings along Wychwood Avenue in the vicinity of the appeal property. Furthermore, he contends that there would be no discernible impact on neighbouring properties to the side and rear. Finally, he contends that only a very small section of the dormer roof would be visible above the existing roof, and that the proposed front rooflights would not appear asymmetrical due to being positioned on different roof-slopes.
8. The proposed dormer would occupy the full width of the roof of the property, including the side extension. To do this would require a drop in the flat roof level part way along its width. It would also necessitate part of the dormer roof being visible above the roof ridge from the road. Whilst visibility from the road would be minimal, it is indicative of the fact that the dormer would be a bulky and somewhat cramped feature occupying almost all of the rear roof-slope. This bulk and two-level flat roof design would represent an over-dominant, incongruous and somewhat awkward feature on the host property.
9. I note the existence of a number of large flat-roofed rear dormers on properties in the vicinity, some of which are more visible in the street scene than would be the proposal at No 4. However, from the evidence before me, it would appear that none of these dormers extend across the whole width of the plot nor include the use of the rear roof-slope of a side extension. They cannot therefore be seen as a precedent for the current proposal, which has a harmful impact on the appearance of the host dwelling.
10. I concur with the appellant that the dormer would have only minimal impact on the visual amenities of the occupiers of adjacent houses to the side and rear, and there is no evidence before me to support the contention that the dormer would have any significant adverse impact on light received at the rear of those houses. However, this lack of harm does not outweigh the visual harm that would be caused to the character and appearance of No 4 itself.
11. In conclusion, I find that the proposed dormer, by reason of bulk and incongruous design on the rear roof-slope of the host property, together with its adverse impact, albeit very slight, on the street scene, would be harmful to the character and appearance of this part of Wychwood Avenue. It would not respond positively to the townscape, street scene, and site/building context, while the scale, mass, and design would not be consistent with and proportionate to the principal dwelling or surrounding properties. It would not represent high-quality design and, on this basis, it would conflict with Policies LL1, LL19 and LL25 of the LP.

Other Matter

12. From the submitted plans, I have some concerns that the external height of that section of the dormer above the side extension, is shown as only around 1.7 metres, which would appear likely to result in a very limited internal headroom for one of the bedrooms proposed for the loft. In addition, there would appear to be discrepancies between the proposed elevations and proposed loft floor plan. In particular, the scale/height of the front gable roof differs between plans, resulting in inconsistencies in the apparent location of one of the proposed roof lights. Finally, there is no indication on the elevations plan of the flat-roof rooflight, which is shown on the floorplans. These are all only minor issues that have not, in themselves, influenced my decision, but they add to my concerns about the somewhat cramped and incongruous nature and design of the proposal as a whole.

J D Westbrook

INSPECTOR