
Appeal Decision

Site visit made on 29 March 2022

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8TH April 2022

Appeal Ref: APP/B0230/D/22/3293176

119A Connaught Road, Luton LU4 8ER

- 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 Khurshid Ahmed against the decision of Luton Council.
 - The application Ref 21/00446/FULHH, dated 27 March 2021, was refused by notice dated 1 December 2021.
 - The development proposed is erection of first floor rear extension and erection of rear dormer window.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host property and the area.

Reasons

3. The appeal property is a two storey detached property with a gabled tiled pitched roof and a single storey extension at the rear. It is located in a mature well-established residential area, typically characterised by terraced properties set back from the road behind a front garden/driveway. The surrounding terraced properties are of comparable scale and form, with hipped and gabled tiled roofs. An industrial estate is located immediately to the rear of the site.
4. The proposal would entail the construction of a first floor rear extension and a flat roof dormer extension across the rear of the house. The first floor extension would extend out over the existing single storey rear extension across the full width of the house and would be stepped down below the ridge of the property with a pitched hipped tiled roof. The rear dormer extension would be set in from the edges and eaves of the roof and stepped down below the ridge line of the host property.
5. The appeal property is on a relatively spacious plot and as such the extensions would not appear overlarge, relative to the overall plot size. Given the site's location, the proposed first floor rear extension would only be partially visible between the buildings when passing the site. I observed on my site visit that a number of the adjacent properties had extensions of varying designs and styles projecting out from the rear of the buildings. The new first floor rear extension

would be seen in the context of the current varied architectural styles at the rear of the host property and the surrounding properties.

6. Against this backdrop, the scale, form and siting of the first floor rear extension would not look significantly out of place or excessive in relation to the built form of the host property and the adjacent properties. The overall scale and proportions of the first floor rear extension together with use of matching materials and fenestrations would ensure the development sits relatively unobtrusively against the two storey form of the host property. The proposed first floor rear extension would therefore achieve an appropriate degree of subordination to the host property and as such would limit any significant adverse impacts on the street scene.
7. The scale and form of the proposed flat roofed dormer extension would nevertheless still be a significant addition relative to the main house. Although set in and stepped down, the proposed rear dormer extension would result in substantial bulk being added to the roof plane with only very narrow peripheral parts of the sloping roof being evident.
8. The consequential harm would not in my view be sufficiently resolved by the limited effect of the proposed rear dormer extension on the street scene. In any case, the proposal would be visible at the rear from the surrounding properties. I therefore consider that the proposed rear dormer extension, by virtue of its scale, siting and design, would fail to achieve an appropriate degree of subordination to the host property and would detract from the architectural integrity of the host property. As such, I consider that the proposed rear dormer extension would result in an incongruous and out-of-keeping addition that would cause unacceptable harm to the character and appearance of the host property and the area.
9. I have considered the appellant's arguments that the design and layout of the proposed rear dormer extension has been carefully considered in order to minimise any impacts on the host property and the area. Whilst the use of matching materials and fenestrations would assist in integrating the proposal with the host property, these aspects do not overcome the adverse effects outlined above.
10. Consequently, I conclude that the proposed rear dormer extension 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 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 that developments should seek to secure a high quality of design (paragraph 126) that are sympathetic to the local character (paragraph 130).

Other Matters

11. I have noted the other developments in the area drawn to my attention by the appellant. Whilst I note some parallels, the extensions and roof alterations at Nos. 117 and 119 Connaught Road are of a different scale and form and were approved in a different policy context. The various roof alterations and extensions to the properties in the surrounding area 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.

12. I have considered the appellant's comments regarding the loft conversion and the Building Regulations Completion Certificate issued by the Council for this work in 2005. Whilst this may be so, this does not set a precedent for such an inappropriate development in this location for the reasons set out above.
13. I have considered the appellant's comments regarding the lack of formal objections from the neighbours or third parties to the appeal proposal. Whilst this maybe so, this does not preclude the proper planning assessment of the impact of the proposal on the host property and the area and is not a determinative factor on its own.
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. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR