The Planning Inspectorate

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/22/3293385
302 Icknield Way, Luton LU3 2JS

- 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 Miroslava Tatarova against the decision of Luton Council.
- The application Ref 21/01484/FULHH, dated 28 September 2021, was refused by notice dated 17 December 2021.
- The development proposed is alteration and enlargement of existing roof dormers, erection of front porch, erection of single storey side and rear extensions following demolition of rear outbuilding.

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 Issue

3. The main issue is the effect of the proposed front dormer on the character and appearance of the host property, the adjoining semi-detached property of which it forms a part and the area.

Reasons

4. The appeal property is a semi-detached extended bungalow with a gabled tiled roof, small front dormer and a large flat roofed rear dormer. It is located in a mature well-established residential area with a mixture of properties of varied styles and character set back from the road. A number of the dwellings have gabled roofs and some dormer extensions of varying styles and designs that generally appear as clearly subordinate to the dwellings.

5. The proposal involves the alterations and enlargement of the existing roof dormers. The proposed flat roof dormer extension across the front of the property would be inset from the shared party wall with the adjoining property and built up to the ridge line of the host property. The proposal would also involve the erection of a front porch, single storey side and rear extensions.

6. Although the proposed front dormer would be set in, the proposed roof addition would result in a material alteration to the property's gabled roof, which currently makes a positive contribution to the roofscape of the host property. The proposed roof alteration would result in additional bulk at the front of the main dwelling that would be very much at odds with the more modest form and appearance of the host building and the adjoining semi-detached bungalow of which it forms a part.

7. These shortcomings are exacerbated by the proposal's position, which would be visible from a number of public vantage points along Icknield Way and Catsbrook Road. The proposed front dormer roof 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 dormer extension would result in an incongruous and out-of-keeping addition that would cause unacceptable harm to the host property, adjoining semi-detached property and the area.

8. I have considered the appellant's arguments that the design and layout of the proposed front dormer extension have been carefully considered in order to take into account the character of the host property and the other roof designs in the area. Whilst the use of matching materials and fenestrations would assist in integrating the proposed extension with the host property and the area, these aspects again do not overcome the adverse effects outlined above.

9. Consequently, I conclude that the proposed front dormer extension would result in harm to the character and appearance of the host property, adjoining semi-detached 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 (the 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

10. I have noted the other developments in the area drawn to my attention by the appellant. However, the various dormer roof extensions and alterations on the properties within 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.

11. The appellant considers the proposal would constitute a sustainable form of development in line with the requirements of the Framework. I have considered the various benefits put forward by the appellant that the proposal would bring, including providing additional accommodation to meet the needs of the appellant, the effective use of land and the airspace above the existing residential property. While I have given them some weight, these modest 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

12. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR