



Appeal Decision

Site visit made on 13 December 2022

by D Wilson BSc (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 December 2022

Appeal Ref: APP/B0230/D/22/3306160

200 Leagrave Road, Luton LU3 1JD

- 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 Ghulam Javed against the decision of Luton Borough Council.
 - The application Ref 22/00621/HHFT, dated 17 May 2022, was refused by notice dated 15 June 2022.
 - The development proposed is erection of L-shaped rear dormer and three roof lights (one in flat roof).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has questioned whether the appeal proposal should require planning permission. However, this is not a matter for me to determine in the context of an appeal made under section 78 of the Town and Country Planning Act 1990. It is open to the appellant to apply to have that matter determined under sections 191 or 192 of the Act. Any such application would be unaffected by my determination of this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

4. 200 Leagrave Road is a terraced 2 storey property located in a densely populated area of Luton. Leagrave Road is predominantly made up of 2 storey terraced houses with some retail units on the ground floor. Opposite the site are some larger, commercial units and the adjacent roads, Dane Road and Saxon Road are made up of similar 2 storey terraced properties.
5. The development proposed is an L-shaped dormer which would be located at the rear of the property. The only alteration to the front elevation would be the addition of 2 roof lights on the roof slope. This is a common feature on the properties nearby, including the neighbouring property and as such this particular aspect of the proposal would not harm the character and appearance of the area.
6. Whilst the remainder of the proposal will not be visible from the front elevation, views of the rear of the site can be seen from the road adjacent to the site, Saxon Road, as well as from surrounding properties. It is noted that the

rooflines of properties on Leagrave Road have shared rear wing projections with a lowered ridge height which creates a sense of symmetry and rhythm.

7. The proposal would extend above the full roof space of the rear elevation and wing projection. Furthermore, the proposal would extend above the existing ridge line of the wing projection. This would result in a bulky and uncharacteristic feature which would erode the existing character of the roofscape.
8. I noted the dormers in situ at the nearby properties, no. 202 and 206 however these are of a smaller scale than the proposal. They are also set back from the projecting wing and therefore still maintain the characteristic rhythm of the roofscape. The dormer located at no. 232 appears to be of a similar scale to the proposal however views are more limited due to this property being located towards the middle of the row of houses. I also noted on my site visit that when viewing the rear of this group of properties from Norman Road that the rooflines are less uniform and as such the dormer appears less out of character.
9. I note the workmanship of the proposal will be high quality and that materials used will match that of the existing dwelling however this does not outweigh the harm I have identified.
10. For all of these reasons, I conclude that the proposed L-shaped dormer would result in an incongruous feature on the roofscape which would unacceptably harm the character and appearance of the area. As such would fail to comply with Policies LLP1, LLP19 and LLP25 of the Local Luton Plan 2011-2031 Adopted November 2017 which, amongst other things, seeks to ensure that development responds positively to local character, enhances local distinctiveness and is consistent with the character of the area.

Other Matters

11. My attention has been drawn to further examples of L-shaped dormers however, from the details before me, it appears to me that these are located some distance away from the appeal site and the merits and context of these are different to those of the appeal proposal.
12. I acknowledge that the proposal represents an efficient use of land and will meet the needs of the owners to improve the suitability of the property for family living, the benefits of which will likely continue for future occupiers. I also note the economic, social and environmental benefits however these benefits are limited given the small scale of the proposal.
13. The appellant has suggested that the proposal could be permitted development and whilst this is a strong material consideration it does not affect my view that the proposal would be an incongruous feature on the roofscape, nor does it, and the benefits outlined above, outweigh the conflict with the Development Plan.

Conclusion

14. For the reasons set out above, and having had regard to the development plan as a whole and all other material considerations, I conclude that the appeal should be dismissed.

D Wilson

INSPECTOR