



Appeal Decision

Site visit undertaken on 1 December 2023

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 21st December 2023

Appeal Ref: APP/P0240/D/23/3327676

43 Poynters Road, Dunstable LU5 4SG

- 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 Slawak Gawron against the decision of Central Bedfordshire Council.
 - The application Ref CB/23/01571/FULL, dated 11 May 2023, was refused by notice dated 19 July 2023.
 - The development is described as the retention of existing outdoor seating area veranda to single dwelling family house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application is made retrospectively, meaning the development has already been carried out with the application form confirming this to be the case. I have made my decision on this basis.

Main Issues

3. The main issues are the effect of the development upon:
 - The character and appearance of the host building, including the surrounding locality; and
 - The effect of the development on the living conditions of the existing and future occupiers of No.41 Poynters Road, with particular regard to visual appearance and sense of enclosure.

Reasons

Character and Appearance

4. The appeal property is one half of a pair of semi-detached dwellings to the south of Poynters Road. The dwellings along Poynters Road appear to date from the early-mid twentieth century which contains a number of dwellings forming part of a speculative development where groups of 4 terraces are constructed to the north side of the road and groups of semi-detached dwellings are constructed to the south. Dwellings to the south side which includes the appeal site are larger, and contain long and narrow gardens and maintain similar designs and setbacks with well vegetated rear gardens where the tops of trees are visible from within gaps between dwellings. The presence of gaps in and around dwellings, vegetation and the homogenous appearance of dwellings helps to reinforce the character, appearance and local

distinctiveness of this particular locality. Whilst there are extensions and alterations to the rear of properties, such as dormer roof extensions and rear extensions, these are generally of a scale that is subservient to the existing building.

5. When considering extensions, the Central Bedfordshire Local Plan (LP) Policy HQ1 is a design led policy which has a number of design criteria to adhere to such as being high quality, reinforcing local character and distinctiveness and creating a sense of place, amongst others.
6. In assessing the proposal, whilst I agree with the Appellant that many of the houses have been extended to the rear in this location, none of the dwellings have a type of extension such as this in the form of an open canopy of a significant depth which is more like an add-on to the profile of the existing roof than forming an integrated component to the design of the existing dwelling. It is quite clear that high quality design is an essential component of character and appearance which is sought to be achieved through the application of LP policy HQ1. Whilst there is no definition of what 'high quality' means, it is important that there is an integration with the design, which in this particular circumstance the combination of roof profiles and the significant depth gives a jarring and awkward juxtaposition from the existing dwelling to the veranda. Additionally, materials are an important consideration as to their authenticity, quality, and longevity, amongst other considerations. Whilst I appreciate that polycarbonate is an increasingly utilised material, it is quite a poor quality and a temporary product that does not last the test of time and has a very poor appearance as it weathers within a relatively short timeframe.
7. I appreciate that consideration has been given to make the veranda somewhat lightweight in appearance and would be less harmful when compared to a brick structure; and the height of the extension is kept to a minimum, however the veranda could not be considered subservient and the use of polycarbonate as evidenced on the roof could not be considered high quality and presents a poor quality and makeshift appearance not in keeping with the architectural integrity or authenticity of the host dwelling or the surrounding locality.
8. As such, taking the above into account, the architectural approach employed in this extension would not be appropriate and would be detrimental when considered against LP Policy HQ1 as described previously.

Living Conditions

9. As is typical for many of the dwellings along this side of Poynters Road, the rear garden of the appeal site as well as to the remaining half of the semi-detached dwelling is long and narrow. No.41 shares the party wall with the appeal site, has a similarly sized rear garden and has a small rear extension to which is the same depth of the appeal site (without the veranda). No.41 has a paved area to the rear which appears to be utilised for outside formal dining. According to the Council's calculations, the veranda increases the depth of built form along the boundary between the properties by 6.25 metres. Given the width of the rear garden of No.41 at this point, the depth of the veranda is considerable and presents a large mass of built form which presents an oppressive and overbearing appearance for the neighbouring residents.
10. I appreciate comments from the appellant that the polycarbonate is somewhat transparent, however it is not invisible, and still appears as built form, which

will be increasingly apparent when the polycarbonate ages and becomes even less transparent. The physical presence of the veranda in the rear garden is of a size and nature which causes an unacceptable appearance due to its sense of enclosure towards the neighbours at No.41.

11. Consequently, I therefore conclude on this matter that the scheme causes unacceptable impacts to the living conditions of No.41 and is therefore not compliant with LP Policy HQ1 which seeks that development not cause unacceptable effects to the amenity of neighbouring occupiers.

Conclusion

12. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be dismissed.

J Somers

INSPECTOR