



Appeal Decision

Site visit made on 9 July 2025

by J G Wellstead BA(Hons) MA MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 August 2025

Appeal Ref: APP/B0230/D/25/3366982

163 Cutenhoe Road, Luton LU1 3NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Gurali Tafasi against Luton Borough Council.
 - The application Ref is 25/00061/FULHH.
 - The development proposed is erection of a single storey and two storey side and rear extensions, front canopy and alteration to the fenestration, rear dormer window and three front slope rooflights to facilitate a loft conversion.
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Decision

1. The appeal is dismissed and planning permission for the erection of a single storey and two storey side and rear extensions, front canopy and alteration to the fenestration, rear dormer window and three front slope rooflights to facilitate a loft conversion is refused.

Preliminary Matters

2. At my site visit I saw that some initial works for the development have taken place. Therefore, the appeal has been assessed on a part retrospective basis.

Main Issues

3. The main issues are the effect of the development on the character and appearance of the local area and the host property.

Reasons

4. The appeal site is a two-storey semi-detached dwelling in a predominantly residential area, set amongst properties mostly of a similar scale and in pairs of semi-detached dwellings.
5. There is a moderately consistent pattern of gaps between each pair of semi-detached dwellings at first floor level, which gives a visually pleasing rhythm of development and results in an open and spacious street scene.
6. The proposed width and design of the two-storey side extension with gable-sided roof means the full vertical height of the extension would extend to the side boundaries of the site. This would reduce the gap between the host dwelling and the neighbouring property at No. 161 to the degree that the host dwelling would appear cramped within its plot and visually dominant within the street scene.

7. At the rear of the property, the two storey side extension would continue 2.5m beyond the original rear elevation while the single storey rear extension would extend from it by 5.8m. The significant size and scale of this proposed addition would dominate the existing dwelling and fail to appear subordinate to it.
8. Although the proposed dormer to the rear roof would be set in from the edges of the roof plane, it would still be a substantial structure occupying the majority of the roof slope. Its size, bulk and box-like form would appear excessively large and out of keeping with the existing building. As a result, the dormer would be an unacceptably dominant and incongruous addition to the roof.
9. Taken as a whole, the appeal scheme would fail to respect the form, scale and mass of the original dwelling due to its design, bulk, scale and width. The overall footprint and roof form would present an unacceptably large and inappropriate extension.
10. I acknowledge that some elements of the scheme would not be highly visible from public vantage points. Nonetheless, limited public visibility does not remove the need to achieve good design and compliance with the relevant requirements of the development plan. In addition, an extension of the size, scale and height proposed would stand out as a dominant feature within its immediate surroundings and as such would be harmful to the character and appearance of the surrounding garden environment.
11. I have noted the presence of other developments in the area. However, these schemes are of a different scale and form to the appeal proposal and are unrepresentative of the overall character and appearance of the area. In any event, each proposal is assessed primarily on its own merits and I am unaware of the full circumstances associated with these other cases.
12. The use of matching materials, continuity of roof pitch and alignment of windows and openings does not alter my view that the scheme would be inappropriate as a whole.
13. Consequently, I conclude that the proposed development would have a harmful effect on the character and appearance of the area and the host property. It would therefore conflict with Policies LLP1, LLP19 and LLP25 of the Luton Local Plan 2011-2031 (November 2017). These policies and guidance, amongst other things, seek to ensure that new development proposals demonstrate a high quality of design that is in keeping with the scale and design of original and neighbouring properties; and that they respect and enhance the surrounding residential environment and positively contribute towards the local identity and character of an area. In addition, the proposal would not accord with The National Planning Policy Framework which states that developments should seek to secure a high quality of design that is sympathetic to the local character.

Other Matters

14. I understand the desire to maximise the use of space in the dwelling. But this does not justify the construction of what would be a fundamentally inappropriate addition to the existing dwelling.

15. The appellant suggests that some elements of the scheme would normally be permitted development but whether this is the case or not is not a matter which forms the subject of the appeal before me.
16. The appellant has made reference to a previous successful application for planning permission, however this was for a different scheme, and I do not have the full details of the application before me, nor the policies under which it was approved.
17. The evidence indicates that the proposal would not harm the living conditions of nearby occupiers, but this is a pre-requisite of such development and is therefore a neutral matter.

Conclusion

18. The proposed development conflicts with the development plan when considered as a whole. There are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. The appeal is therefore dismissed.

J Wellstead

INSPECTOR