



Appeal Decision

Site visit made on 1 July 2025 by S Jamieson BA (Hons) MPlan

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2025

Appeal Ref: APP/B0230/D/25/3364041

23 Atherstone Road, Luton LU4 8QU

- 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 B Mullan against the decision of Luton Borough Council.
- The application Ref is 24/01375/FULHH.
- The development proposed is described as 'Erection of a single and two storey side extension - alteration to roof to include hip to gable ends and three front roof lights to facilitate a loft conversion and alterations to fenestration and erection of detached double garage and outbuilding/summerhouse'.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site, No 23, is located in a residential area characterised by a range of house types and styles, including detached, semi-detached and terraced properties. In the immediate vicinity of No 23, roof types are predominantly hipped with occasional gabled forms. No 23 is a modest, two-storey, detached dwelling. It is located on a corner plot and has a generous garden that wraps around the front, side and rear. The dwelling on the opposite corner at 21 Atherstone Road is similar in form and both properties have hipped roofs. They are also set well in from the side boundary with Thirlstone Road such that their side elevations align closely with the front elevations of dwellings on this adjoining road. Consequently, there is a degree of symmetry between them, and their positioning provides for a distinctive spaciousness at the entrance to Thirlstone Road which positively contributes to the character and appearance of the area.
5. The extension of the ridge line and formation of a gable ended roof would give the dwelling a notably wider and bulkier form which would significantly differentiate it from the dwelling on the opposing corner at No 21. More particularly, due to its two-storey scale, gabled ended design and close proximity to the side boundary with Thirlstone Road, the side extension would appear visually dominant at the

corner, projecting well forward of the front elevations of dwellings on Thirlstone Road. This would unacceptably erode the spacious character that currently defines the entrance to Thirlstone Road. Even though there are other side gables within the wider street scene, those dwellings are not directly comparable to the design or prominent corner position of the appeal dwelling.

6. Given the domestic scale and design of the proposed outbuildings, the summerhouse and garage would evidently appear as an ancillary to the main house. They would also be single-storey, set well back from the boundary with Thirlstone Road and a large area of amenity space would be retained. I therefore find that these elements would sit comfortably within the residential context. Nevertheless, this does not overcome the harm that would result from the proposed extensions to the dwelling.
7. I have been provided with an appeal decision and drawings relating to the detached dwelling which has been erected on land adjacent to 48 Thirlstone Road. However, that particular property is set behind the dwelling at No 21 and its front elevation appropriately aligns other dwellings on that side of the street. Therefore, it is not comparable to the harmful effects of the appeal proposal.
8. I conclude, the proposed development would have a significantly harmful effect on the character and appearance of the area. In that regard, it would conflict with Policies LLP1, LLP19 and LLP25 of the Luton Local Plan (2017) which requires that all new development preserves or improves character, that the scale, mass, layout and design of extensions are consistent with and proportionate to the principal dwelling and streetscape, that an extension has a roof style in keeping with the original roof, that extensions respect existing patterns of development and that development is of a high quality design, that enhances the distinctiveness and character of the area by responding positively to the street scene, site and building context.
9. For the same reasons, the proposal would conflict with the National Planning Policy Framework which seeks to achieve well designed places and that developments should be sympathetic to local character.

Other Matters

10. The appellant suggests that the Council's Strategic Housing Market Assessment highlights a substantial need for large family sized accommodation. Even so, given the proposal relates to a single dwelling, it would only make a limited contribution to addressing such need. I also acknowledge that the dwelling is currently vacant. However, there is nothing to suggest that the dwelling could not be made desirable for family occupation through a scheme which does not harm the character and appearance of the area.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I therefore recommend that the appeal should be dismissed.

S Jamieson

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

M Russell

INSPECTOR