
Appeal Decisions

Site visit made on 2 December 2025

by N Bowden BA(Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 December 2025

Appeal A Ref: APP/B0230/D/25/3373174

220 Park Street, Luton LU1 3HB

- 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 Moore against the decision of Luton Borough Council.
 - The application Ref is 25/00579/FULHH.
 - The development proposed is the erection of a two storey part side and rear extension.
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Appeal B Ref: APP/B0230/D/25/3373186

220 Park Street, Luton LU1 3HB

- 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 Moore against the decision of Luton Borough Council.
 - The application Ref is 25/00662/FULHH.
 - The development proposed is a loft conversion with rear dormer and outrigger dormer.
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Appeal C Ref: APP/B0230/D/25/3374654

220 Park Street Luton LU1 3HB

- 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 Moore against the decision of Luton Borough Council.
 - The application Ref is 25/00663/FULHH.
 - The development proposed is a two-storey rear extension.
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Decision

1. Appeal A is allowed and planning permission is granted for the erection of a two storey part side and rear extension at 220 Park Street, Luton LU1 3HB in accordance with the terms of the application, Ref 25/00579/FULHH, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The external materials of the extension hereby permitted shall match those used in the existing building/dwelling.
 - 3) The development hereby permitted shall be carried out in accordance with plan nos. PR-L002, PR-E001, PR-E002, PR-P001, PR-P002, PR-P003, PR-P004, PR-S001, PR-S002 (all dated 15 May 2025).
2. Appeal B is dismissed.
3. Appeal C is dismissed.

Preliminary Matters

4. The three appeals relate to different proposals for works to the rear of a domestic property on the same site. I have considered each appeal on its individual merits, however, as they raise similar issues, I have combined the decisions into a single decision letter.

Main Issues

5. The main issues are the effect of the proposed developments on the character and appearance of the existing dwelling and surrounding area and whether these would set an undesirable precedent for similar developments in the area.

Reasons

6. All three proposals comprise extensions to the rear of the property in varying formats. The existing property comprises a mid-terrace dwelling which addresses Park Street. Although the property is terraced, the style of dwellings differs between the row at 204 to 220 which are relatively simple early 20th century terraces which have their front doors directly onto the street. Numbers 220 to 230 appear to be slightly later homes which feature bay windows and are set back from the road. As a consequence of the set back from the road and differing depths of the properties, number 222 has its back wall much further to the rear than 220 and this neighbour presents a large flank wall to the side aspect.
7. Appeal A relates to a two storey rear extension. This extension is relatively deep and in conjunction with the existing outrigger projection to the rear, would result in the rear projecting element being comparable to the main span of the existing dwelling. However, as it is set adjacent to the deeper projecting wall at 222, the effect of this would be ameliorated. Indeed, I find it would form a pleasing staggered relationship which would offset the impact of the somewhat large and overbearing wall at 222.
8. Although the extension may appear as somewhat disproportionate to the parent dwelling, due to this unique relationship with the neighbour, I am unable to identify any material harm. Insofar as creating a precedent, it is quite clear that the relationship between 220 and 220 Park Street is unusual and seems unlikely to be able to replicated in the local area. Therefore, I cannot identify any form of precedent that could be set particularly as each case is considered on its own merits.
9. Accordingly, I conclude that proposed extension in appeal A would comply with policies LLP1, LLP19 and LLP25 of the Luton Local Plan (LLP) and provisions of the National Planning Policy Framework (the Framework) insofar as the design and proportions are consistent with and proportional to the principal dwelling.
10. Appeal B concerns a box dormer window that would extend out into the existing outrigger projection. The effect of the two linked dormer windows would be to effectively remove almost all traces of roof slope. The rear facing dormer would nearly reach the main roof ridge whilst the one to the outrigger would significantly exceed the existing roof slope. The dormer windows would be harmful to the character and appearance of the property and to the surrounding area. Whilst I accept there would be limited public vantage of the proposal, it would still be visible from rear gardens and in certain views from neighbouring properties.

11. My attention has been drawn to a fall-back position that the appellant cites; as having been granted a lawful development certificate. Whilst I do not have sight of this, I am aware of works that could, theoretically be done to the roof by utilising permitted development rights. As there is a lawful development certificate and other works proposed to the property, this gives me confidence that such a fallback position would likely be taken forward in the alternative. However, with no evidence to show what the alternative proposal is, I have no firm point of comparison and thus can afford this limited weight here. Even if I had sight of this approved scheme, I would retain concerns with the proposal due to the size and impact of what is before me.
12. Therefore, I must conclude that appeal B conflicts with policies LLP1, LLP19 and LLP25 of the LLP in that the proposal would not be in keeping with the character and appearance of the existing property or surrounding area.
13. Appeal C relates to an alternative two storey rear extension to appeal A. However, this proposal is significantly deeper. It projects by a substantial distance to the rear of the existing property. Whilst I accept it does align with the neighbour's wall at number 222, it still represents a disproportionate addition to the existing dwelling. Unlike the comparatively modest addition put forward in appeal A, it would be quite apparent that the extension relates to this dwelling and is unrelated to number 222. Its depth and overall size mean it would appear as an incongruous addition to the existing property to the detriment of its character and appearance. This is not assisted by the extension being slightly angled along the boundary and increasing in width at its rearmost point.
14. As such, I conclude that appeal C does not accord with policies LLP1, LLP19 and LLP25 of the LLP due to its awkward and disproportionate relationship with the principal dwelling.

Conditions

15. I have attached conditions to appeal A. There is a time limit condition to comply with the provisions of the Town and Country Planning Act 1990 (as amended), a plans condition for certainty and a materials condition in the interests of the character and appearance of the area.

Conclusion

16. I conclude that appeal A would not be detrimental to the character and appearance of the existing dwelling or area and therefore the appeal should be allowed.
17. Appeals B and C would, however, be harmful to the character and appearance of the existing property and surrounding area. The material considerations do not indicate a decision other than in accordance with the development plan and therefore these appeals are dismissed.

N Bowden

INSPECTOR