

Appeal Decision

Site visit made on 19 September 2016

by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30th September 2016

Appeal Ref: APP/B0230/D/16/3155725

105 Bushmead Road, Luton, Bedfordshire LU2 7YT

- 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 & Mrs R Lavender against the decision of Luton Council.
 - The application Ref 16/00460/FUL, dated 14 March 2016, was refused by notice dated 18 May 2016.
 - The development proposed is a two storey side and single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a two storey side and single storey rear extension at 105 Bushmead Road, Luton, Bedfordshire LU2 7YT in accordance with the terms of the application, Ref 16/00460/FUL, dated 14 March 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan and drawing 16/179/103 A.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.

Main Issue

2. The main issue is the effect on the character and appearance of the area.

Reasons

3. The appeal site is located in a modern residential development which consists of a mixture of detached, semi-detached and terraced properties. It is situated at the eastern end of a staggered terrace of six properties and has a detached garage to the side, beyond which is a small parking court.
 4. I am aware that planning permission has been recently granted for a broadly similar development (16/00976/FUL) which would be approximately 0.4 metres narrower than the appeal proposal. The key issue is, in effect, the increased size of the extension over and above permission 16/00976/FUL.
 5. From my site visit I noticed that there were a mixture of property sizes and widths on the estate, including the three extended properties which have been drawn to my attention on Bushmead Road, Robinswood and Rookery Drive.
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6. I acknowledge that the width of the extension would be broadly similar to the width of the adjoining properties. Whilst the proposal would represent a significant increase in the floor area of the property, taking into account the size of the recently granted planning permission, the width of the plot, and the design of the extension itself, I consider that it would not result in a poorly proportioned extension in relation to its host dwelling, or the wider terrace.
7. Furthermore, the side extension would be set back approximately 1.2 metres from the front of its host property which would reduce the prominence of the extension and would lower the roof so that it would appear subservient. To my mind, this would complement the overall appearance of the host dwelling and the staggered terrace.
8. In considering the effect of the development on the wider area, given the variety of property sizes, including the extensions drawn to my attention, I consider that the development would not be harmful to its overall character and appearance.
9. Turning to the single storey rear part of the proposal, the Council have not raised any specific concerns over this element. I also note that the Council do not consider that any part of the proposal would have an adverse impact on the living conditions of neighbouring properties. In these respects, I have no reason to disagree with the Council's view.
10. For the above reasons, the extension would not result in any harm to the character and appearance of the area. Therefore the development would accord with Policies LP1[C], H4[A] and ENV9 of the Luton Local Plan 2001-2011 which seek, amongst other matters, to ensure that development protects the character and appearance of the area.

Conditions

11. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for the reason of certainty. A condition relating to (matching) external materials is appropriate in the interest of the character and appearance of the area.

Conclusion

12. Taking all matters into consideration, for the reasons given above, I conclude that the appeal should be allowed.

Chris Forrett

INSPECTOR