
Appeal Decision

Site visit made on 19 September 2016

by Grahame Gould BA MPhil MRTPI

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

Decision date: 13th October 2016

Appeal Ref: APP/B0230/W/16/3151514

2 Belsize Road, Luton LU4 0RR

- 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 Mrs Penny Szatmari against the decision of Luton Council.
 - The application Ref 16/00023/FUL, dated 4 January 2016, was refused by notice dated 17 March 2016.
 - The development proposed is two storey two bedroom house.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property (No 2) is one half of a pair of semi-detached properties, the other half of this pair being 21 Abercorn Road (No 21). Belsize Road is characterised by semi-detached houses that are of the same design and age, the exception being Nos 1 to 7, which are flats in a small two storey block opposite No 2.
 4. The appeal development would involve the construction of a two storey, detached house within No 2's side garden.
 5. The proposed house would be sited in very close proximity to the back edge of the footway in Belsize Road and it would be sited in advance of the front elevations of 4 to 14 Belsize Road. These siting characteristics would mean that this dwelling would occupy a prominent position at an approach into Belsize Road at a point where there is quite a pronounced bend in the street, thus opening up the site to views from the junction with Abercorn Road.
 6. While there is nothing exceptional about the design of the properties in Belsize Road and adjoining streets, I found spacious corner plots to be purposefully designed elements of this estate's layout and this development would not respect that characteristic. I find that the absence of any meaningful space between what would be the dwelling's front elevation and the back edge of the footway would result in this development having a cramped appearance and it would fail to positively contribute to the street scene.
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7. While the house would have a fully pitched roof, its ridge line and gable ends would be orientated at right angles to those of Nos 2 and 21 and this together with its detached nature would mean that it would have an inharmonious appearance within Belsize Road. When the siting and appearance shortcomings I have identified are taken together, I find that this development would be an incongruous addition to the street scene. I am therefore not persuaded that this dwelling would be a fitting local 'landmark', nor do I to see how it would either '... sow the seeds of a renaissance of the adjoining public space as an urban park', given the development's scale, or appreciably add to the natural surveillance of that space.
8. It has been suggested that the dwelling could be attached to No 2 to create a short terrace and that this could be secured by a planning condition, were I to be sympathetic to this design variation. While such a change might address the inharmonious appearance of the dwelling, this would not address the loss of the sense of space to the side of No 2. I therefore find that the provision of what would be an end of terrace house would still be harmful to the street scene because of the prominent siting it would have.
9. The Council contends that this development might set an undesirable precedent in the area. However, each case must be treated on its individual merits and I therefore attach limited weight to this part of the Council's case.
10. I conclude that the development would be harmful to the character and appearance of the area. The proposal would therefore be contrary to saved Policies ENV9 and H2 of the 'Luton Local Plan 2001 – 2011' of 2006 (the Local Plan), because the dwelling would be poorly sited relative to others in the area, it would amount to a cramped (over-intensive) form of development and would not enhance the character and appearance of the area. Given the conflict with the aforementioned policies this development would also be contrary to criterion A of Policy LP1 of the Local Plan, which requires proposals not to be in conflict with other policies of the Local Plan.

Other Matters

11. I recognise that this proposal would provide adequate space for its occupiers, utilise sustainable construction methods and not cause any loss of privacy for neighbouring occupiers. I also accept that this development would make a modest contribution to the supply of housing in the Council's area and that there would be good accessibility to services and community facilities. However, while those matters weigh in favour of this proposal, I find them to be outweighed by the visual harm that would arise. While adjoining residents have raised no objection to this proposal, this does not persuade me that this would be an appropriate form of development in Belsize Road.

Conclusion

12. For the reasons given above I conclude that the development would be harmful to the character and appearance of the area. The appeal is therefore dismissed.

Grahame Gould

INSPECTOR