

Appeal Decision

Site visit made on 28 February 2017

by Tom Gilbert-Wooldridge BA (Hons) MTP MRTPI IHBC

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

Decision date: 13 March 2017

Appeal Ref: APP/B0230/W/16/3161769

Bramingham Park Post Office, 9 Leamington Road, Luton LU3 3XF

- 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 P. Nanthakumar against the decision of Luton Borough Council.
 - The application Ref 16/00865/FUL, dated 17 May 2016, was refused by notice dated 28 July 2016.
 - The development proposed is a single storey rear extension (storage).
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The extension has already been erected, so I have treated this appeal as seeking retrospective planning permission.

Main Issues

3. The main issues are the effect of development on (a) the character and appearance of the surrounding area and (b) highway safety.

Reasons

Character and appearance

4. The appeal site forms one half of a small two storey building that is similar in scale and design to surrounding residential properties, including the use of bricks on the main walls and steeply pitched tile roofs. The appeal site is very visible from the north and west given its location on the junction of two roads. The parking and servicing area to the rear of the building is open onto the adjoining road of Milverton Green.
 5. The extension is relatively small in terms of its dimensions, but is a rudimentary and windowless structure with rough timber walls painted grey and a shallow pitched felt roof. It has an unsightly appearance and incongruous proportions in contrast to the main building to which it is attached. Given its position within the parking and servicing area, the extension is highly visible and overly prominent when viewed from the north and west.
 6. As a consequence, the development results in harm to the character and appearance of the surrounding area. Thus, it does not accord with Policies LP1 and ENV9 of the Luton Local Plan 2001-2011 ('the Local Plan'). Amongst other
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things, these policies seek to improve the physical environment of Luton with development that respects the detailed design of the existing building and uses materials that contribute to the character of the area. The development also does not meet the aims of the National Planning Policy Framework (NPPF) which seeks good quality design that responds to local character.

Highway safety

7. At the time of my mid-afternoon site visit, the roads adjoining the appeal site were quiet with little on-street parking. Nevertheless, there may be more on-street parking in the evenings and at weekends given the predominantly residential nature of the area. I also note concerns from local residents about excessive parking at certain times. At my site visit, I observed that drivers accessing the retail unit at the appeal site tended to park briefly on the adjoining roads, which at busier times could cause congestion around the junction between Leamington Road and Milverton Green. While the speed and level of traffic movement is unlikely to be high given the residential nature of the roads, there is still a risk to drivers and pedestrians.
8. The extension does not protrude so far rearwards as to prevent vehicles from accessing the parking and servicing area altogether. Two cars were parked in this area at the time of my site visit. The car parked immediately behind the extension was at a 45 degree angle to the development, which appeared necessary to allow sufficient passing space for other vehicles accessing the parking and servicing area. Based on my observations, the parking layout shown on the appellant's drawing submitted with the appeal¹ does not seem feasible in terms of cars parked perpendicular to the extension. Thus, the development reduces the number of vehicles that can be parked at the rear.
9. The effect of further on-street parking is likely to add to the congestion around the road junction and so cause additional risk to drivers and pedestrians. As a consequence, the extension results in harm to highway safety. Therefore, it does not accord with Policy T3 of the Local Plan which seeks to avoid exacerbating road congestion or safety problems for pedestrians and other road users. As I do not have details of the required parking provision for the appeal site and the overall building, I cannot conclude on whether Policy T13 is conflicted. Nevertheless, this does not lessen the conflict with Policy T3.

Conclusion

10. The appellant highlights the lack of storage space for the retail unit, but the benefit of providing such space does not outweigh the harm I have identified to the character and appearance of the surrounding area and to highway safety. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

Tom Gilbert-Wooldridge

INSPECTOR

¹ Drawing No. MKM/16/LEA09/DW01