
Appeal Decision

Site visit made on 14 June 2017

by Andrew Owen BA(Hons) MA MRTPI

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

Decision date: 22 June 2017

Appeal Ref: APP/B0230/W/17/3172008
8 Turners Road South, Luton LU2 0PH

- 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 Philip Abelb against the decision of Luton Council.
 - The application Ref 16/02166/FUL, dated 7 December 2016, was refused by notice dated 1 March 2017.
 - The development proposed is erection of two bed new dwelling adjacent to 8 Turners Road South.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two bed new dwelling adjacent to 8 Turners Road South, Luton LU2 0PH in accordance with the terms of the application, Ref 16/02166/FUL, dated 7 December 2016, 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 development hereby permitted shall be carried out in accordance with the following approved plans: 1234-01 Rev A, 1234-02 Rev A, 1234-03 Rev A, 1234-04 Rev A, 1234-05 Rev A, 1234-06 Rev A, 1234-08 and 1234-09.
 - 3) No development shall take place until samples of all external facing materials have been submitted to and approved by the local planning authority in writing. The works shall be carried out in accordance with the approved sample details.

Main Issue

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

Reasons

3. The appeal site accommodates a two-storey, semi-detached dwelling which is orientated roughly at 45 degrees to Turners Road South so that it directly faces the corner with Elmore Road. Indeed this side of Turners Road South is characterised by short terraces of dwellings interrupted by pairs of semi-detached houses which directly address the corners with the side roads.
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4. As a result of the existing dwelling's angled position, a large gap exists between the house and the neighbouring dwelling at No 10. At ground floor this gap is consumed by a flat roofed structure, but it remains at first floor level. This is a common feature in the street and a similar gap exists at Nos 18 and 30, adding a degree of openness to the street scene. However I consider the large front gardens of the corner properties and their set back from the pavement along the side roads, plus the wide side roads themselves, adds a far greater element of spaciousness. As such, whilst the development would reduce the openness of the vicinity, I do not consider it would be to a significant or harmful extent.
5. The proposed detached dwelling would largely reflect the width, height and appearance of the neighbouring houses and would generally maintain the building line. Furthermore the dwelling would retain a gap to the boundary with No 10 and a wider gap to the side of the existing house on site. Consequently the proposal would not appear cramped or incongruous in the street scene.
6. A short distance away, at No 20a, a house appears to have been added to a plot similar to the appeal site. Indeed that house is wider than that currently proposed and retains smaller gaps to its boundaries, particularly with No 20. Therefore, in that context, the development would not appear inharmonious. Whilst I understand that house was granted planning permission under a different policy framework, it nonetheless contributes to the character and appearance of the area. Reference is also made to the planning permission granted for a house at No 30, but as that does not yet appear to have been built, I cannot give significant weight to it.
7. In summary, the proposal would reflect the character and appearance of its surroundings. It would therefore accord with the aim of Policy ENV9 of the Luton Local Plan (LLP) for development to make a positive contribution to the environment, and Policy H2 of the LLP which requires housing development on existing residential land to not be over-intensive. It would also comply with Policy LP1 of the LLP and the National Planning Policy Framework (the 'Framework') which both advocate sustainable development.

Conditions

8. In accordance with the advice in the Planning Practice Guidance and the Framework, I have imposed the standard condition relating to the commencement of development and a condition specifying the relevant plans in order to provide certainty. I have also attached a condition requiring the submission of finishing materials prior to the commencement of development so that the effects of the proposal are properly managed in order to protect the character and appearance of the area.

Conclusions

9. For the reasons given above, and taking account of all other considerations, I conclude that the appeal should be allowed.

Andrew Owen

INSPECTOR