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# Appeal Decision

Site visit made on 16 August 2017

**by P G Horridge BSc(Hons) DipTP FRICS MRTPI**

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

**Decision date: 22 August 2017**

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**Appeal Ref: APP/B0230/D/17/3174938**

**49 The Avenue, Luton LU4 9AF**

- 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 B Barrett against the decision of Luton Borough Council.
  - The application Ref 16/02274/FUL was refused by notice dated 6 March 2017.
  - The development proposed is the construction of a boundary wall (retrospective).
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## Decision

1. The appeal is dismissed.

## Main issue

2. At issue is the effect of the wall on the appearance of the streetscene.

## Reasons

3. The wall in question has already been erected. It comprises a set of 2m tall brick piers with stone copings, between which are 1.15m high dwarf brick walls surmounted by metal railings to just below pier height.
  4. Relevant planning policies are contained in the Luton Local Plan 2001-2011 (LP), adopted in 2006. Policy LP1 sets out a sustainable development strategy, seeking among other matters to improve the physical environment of the town. Policy ENV9 requires new development to enhance the character and appearance of the area and respect existing landforms and natural features. Policy H4 is also cited but as this deals specifically with house extensions it is not directly relevant to this appeal.
  5. Although now of some age, these policies are nevertheless consistent with section 7 of the National Planning Policy Framework which states that poor design, and developments that fail to respond to local character and have an adverse effect on the local environment, should be refused.
  6. The Avenue is a pleasant residential street. Most of the front boundary treatments consist of dwarf walls and fences, or hedges, giving the street a semi-rural character. The new front boundary treatment may well have replaced a hedge of similar height, but its appearance is at odds with this character. Coupled with the hardstanding occupying virtually the entire site frontage behind the wall, it gives the frontage a hard urban feel which is alien to its surroundings. The brick piers, which are both taller and thicker than others in the road, and the railings are particularly prominent. Overall the wall
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fails to respect the existing character of The Avenue and is a harmful addition to the streetscape, contrary to LP Policies LP1 and ENV9.

*Peter Horridge*

INSPECTOR