



Appeal Decision

Site visit made on 5 January 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14/01/2022

Appeal Ref: APP/B0230/W/21/3278727

12-14 Leagrave Road, Luton LU4 8HZ

- 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 Aqif - AA Carpets and Furniture Store Ltd against the decision of Luton Borough Council.
 - The application Ref 21/00342/FUL, dated 1 March 2021, was refused by notice dated 17 June 2021.
 - The development proposed is described as 'erection of third storey'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Since the Council issued its decision the Government has published the revised National Planning Policy Framework (the Framework) on 20 July 2021. However, there have been no material changes to the requirements in the Framework for development to be well-designed and to add to the overall quality of an area. Therefore, it has not been necessary to go back to the parties for further comments in this particular instance.

Main Issue

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

Reasons

4. Nos 12 – 14 Leagrave Road occupy a mid-terraced position and form part of a two-storey commercial unit located within the Bury Park District Centre. There is variation in the architecture along Leagrave Road, however buildings on the side of the road where the appeal building is situated are generally of a traditional form and design. The main roofs of individual terraced groups are more often of similar height and simple form with roof slopes mainly orientated to face the street. The window proportions to the upper floors on front elevations of these buildings are also predominantly of domestic proportions. The general consistency in form and design within individual terraced groups gives a sense of order to the street scene, positively contributing to the character and appearance of the area.
5. The contemporary design of the glazed gable and its position within the front elevation of the building would sit uncomfortably within the simple roof form of the wider terraced row. The considerable width and height of the first-floor

window would not reflect the window proportions generally seen to upper floors on this side of the street. In combination, these substantial glazed elements would appear at odds with the architecture of this terraced group and would detract from the quality of the street scene.

6. The policies of the Luton Local Plan 2011 – 2031 (2017) (LP) and the National Planning Policy Framework (the Framework) amongst other things encourage that developments should optimise higher densities and promote the effective use of land including upward extensions. Even so, the flat roofed rear extension would be of considerable bulk and mass and would not positively respond to the architecture of the original building. However, I acknowledge that the position of the rear extension away from the street scene and between the large rear projections of neighbouring units means that it would not be highly discernible from the public realm. Even though the visual impact of the rear element of the proposal would therefore be limited, this does not overcome my concerns in respect of the harmful impact of the proposals on the street facing elevation of the building.
7. My attention has been drawn to other developments and planning permissions in close proximity to the site. The Nadeem Plaza which sits on the opposite side of the road to the appeal site and the planning permission¹ at 176-180A Dunstable Road both relate to more comprehensive developments with a coherent overall design for those buildings. Therefore, I do not find these examples comparable to the proposed incongruous additions to the front elevation of the terraced row that the appeal buildings sit within.
8. I conclude, the development would result in significant harm to the character and appearance of the area. In that regard it would conflict with the sustainable development and design requirements in Policies LLP1 (Presumption in Favour of Sustainable Development) and LLP25 (High Quality Design) of the LP and the Framework.

Conclusion

9. The proposal would harm the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal is dismissed.

M Russell

INSPECTOR

¹ LPA ref 13/00482/FUL