

Appeal Decision

Site visit made on 11 January 2022

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 JANUARY 2022

Appeal Ref: APP/B0230/D/21/3287744
36 Weltmore Road, Luton, LU3 2TN

- 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 and Mrs Paul Gardner against the decision of Luton Borough Council.
 - The application Ref 21/01081/FULHH, dated 28 July 2021, was refused by notice dated 23 September 2021.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Previous applications for a first floor side extension were refused¹ in June 2020 and in May 2021².

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is a two storey semi-detached dwelling with a single storey attached garage to the side. It is located in a residential area, largely characterised by the presence of two storey semi-detached dwellings.
5. Houses along Weltmore Drive tend to be set back from the pavement behind short front gardens and/or parking areas and have longer gardens to the rear. The presence of occasional grass verges and gardens combine with the setting back of the houses from the street to provide for a significant sense of spaciousness.
6. Further to the above, during my site visit I observed that, whilst single storey garages attached to the side of dwellings tend to be built close to, or adjoining one another, gaps above these at first floor level provide important visual

¹ Ref: 20/00451/FULHH.

² Ref: 21/00361/FULHH.

breaks between pairs of dwellings. These gaps make a positive contribution to the area's sense of spaciousness.

7. The proposed development would extend the appeal property to the side at first floor level. The proposal would extend to the side boundary with Number 38 Weltmore Lane. Whilst there would be a set back from the front elevation, this would only be small and it would fail to be so significant as to lead the proposed extension – which would reach all the way to the neighbouring boundary – to appear subordinate to the host property. Instead, the extension would draw attention to itself as a large and bulky development, rather than a subordinate addition.
8. Further to the above, the proposal would significantly reduce the important gap at first floor level between Nos 36 and 38 Weltmore Lane. This would be to the detriment of the area's spacious attributes.
9. In support of their case, the appellants refer to the nearby presence of other extensions similar to that proposed.
10. During my site visit, I observed that the majority of pairs of dwellings close to the property have retained the gaps between them at first floor level and as noted above, these gaps make an important contribution to local character. Furthermore, I have found that the proposal would result in harm and this is not something that is outweighed by the presence of other developments nearby.
11. Taking all of the above into account, I find that the proposal would harm the character and appearance of the area, contrary to the National Planning Policy Framework and to Local Plan³ Policies LLP1, LLP19 and LLP25 which together amongst other things, seek to protect local character.

Conclusion

12. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

³ Ref: Luton Local Plan 2011-2031 (2017).