
Appeal Decision

Site visit made on 4 February 2022

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14TH February 2022

Appeal Ref: APP/B0230/D/21/3288357
147A, London Road, Luton, LU1 3RL

- 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 Luigi Lorillo against the decision of Luton Borough Council.
 - The application Ref: 21/01262/FULHH, dated 9 September 2021, was refused by notice dated 4 November 2021.
 - The development proposed is the erection of a detached garage at the front of the house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed garage on the character and appearance of London Road.

Reasons

3. No 147A is a detached dwelling on a large plot situated on the eastern side of London Road, opposite to the southern end of Stockwood Park. It has a wide frontage with a two-storey front projection on its southern side, close to the boundary with the adjacent No 149. The proposed garage would be sited around 1.5 metres to the front of the existing front projection and would have a footprint of some 5 m x 5 m. It would have a flat roof. The house itself is set well back from the front boundary of the property.
4. Policy LLP1 of the Council's Local Plan (LP) indicates that new development should preserve or improve the character of the area and that it should respond to and enhance local character. Policy LLP19 relates to extensions to dwellings and indicates that the scale, mass, and design should be consistent with and proportionate to the principal dwelling, surrounding properties, streetscape and character of the area. Policy LLP25 indicates that development should enhance the distinctiveness and character of an area by responding positively to the townscape, street scene, site/building context, form, scale, height, pattern and materials, and distinctiveness of the area.
5. The Council contends that the garage, by reason of being forward of the established building line, would result in a material change to the character and appearance of the host dwelling that would be both incongruous and unduly prominent within its setting, contrary to the prevailing pattern of development and detrimental to the street scene and the character of the property.

6. The appellant contends that there is ample room available in the front garden, such that the garage would give little visual impact, and it is also set back as far as possible from the footpath. He also contends that, whilst there is a general building line, this seems to have been broken by a house recently constructed adjacent the application site at No 149 London Road. Finally, he notes that the house is looked on from the adjacent Stockwood Park, an area of fields and planted trees.
7. The main front elevation of No 147A follows the established building line formed by the row of houses to the north commencing at the adjacent No 147. The forward projection on its southern side appears as somewhat incongruous and uncharacteristic of the area, although it approximately conforms to the line of the front elevation of the adjacent No 149 to the south. However, beyond No 151, which is set a little behind the front elevation of No 149, there is woodland that marks the effective end of the built-up area in the vicinity, such that these two dwellings are something of a visual anomaly at the extreme southern end of the road.
8. The proposed garage would project some 6.5 metres further forward from the existing house. This would result in the built element of the appeal property extending well beyond the front elevations of any other structure along this part of London Road, including the uncharacteristic Nos 149 and 151. I consider that this would be harmful to the character of the area which is, in reality, typified by the row of houses to the north that are set well back into their front gardens forming a clear building line with no intrusive structures further forward. Furthermore, whilst every proposal must be assessed on its own merits, to allow this development could encourage the submission of further similar proposals which would be progressively more difficult for the Council to resist and which could cause cumulative harm to the character of the area. This adds weight to my conclusion regarding the visual harm that would be caused by the proposal.
9. I acknowledge that the appellant has attempted to minimise the visual impact of the garage by keeping the overall height low and utilising a flat roof. However, the garage would still project well beyond the established building line, and the use of a flat roof would mean that its design would be unsympathetic to the design of the rest of the host property.
10. In conclusion, I find that the proposed garage, by virtue of its siting on the plot and its unsympathetic design, would be harmful to the character and appearance of this part of London Road. It would not respond positively to the street scene and the site/building context of the appeal property and it would, therefore, conflict with Policies LL1, LL19 and LL25 of the LP. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR