



Appeal Decision

Site visit made on 7 March 2022

by K Winnard LL.B Hons Solicitor

an Inspector appointed by the Secretary of State

Decision date: 21ST March 2022

Appeal Ref: APP/B02030/D/22/3291133
100 Old Bedford Road Luton LU2 7PD

- 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 Mrs G Khan against the decision of Luton Borough Council.
 - The application Ref 21/01486/FULHH, dated 22 October 2021, was refused by notice dated 23 December 2021.
 - The development proposed is the erection of a single storey rear/side extension.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. There was no one at home at the time of my visit. I was able to access the site via the access gate at the side of the property which had been left open.
3. I have adopted the Council's description of the development as this is a more succinct description of the proposed development.

Main Issue

4. The main issue in this appeal is whether the proposal would represent overdevelopment of the property.

Reasons

5. The appeal property is a 19th century terraced property which has, what is believed to be, an original single storey projection to the rear. There is a narrow passageway to the side of the property and a small area by the existing rear projection, referred to by the appellant's agent as an area used for refuse and bicycles. The amenity space at the rear of the property, where the extension is proposed, is wider and has a generally open aspect. Whilst enclosed by brick boundary walls, it provides some respite from the sense of enclosure and more limited light levels found closer to the property.
6. As a result of the proposed extension, this wider more open area would be lost. The remaining outdoor space, as well as being small and narrow, would be significantly constrained in terms of its outlook as a result of the existing rear projection, the size of the proposed extension which would project beyond the side and rear of the existing projection and the high walls with the neighbouring property. It would be a dark, narrow and unwelcoming space. In

my view it would be inadequate and would not compensate for the loss of the rear amenity space.

7. The proposed extension would result in a building occupying almost the full length of the appeal site. It would project well beyond the existing rear elevation of the appeal property and neighbouring properties. Rather than being a modest extension, it would appear as an overly large bulky addition that would fail to respect the proportions of the existing dwelling. In the context of the plot and the loss of amenity space resulting from the proposed extension, the proposal would result in overdevelopment of the site.
8. I appreciate that the proposal would provide improved living accommodation for the appellant and her family. However, I am not persuaded that the proposal is the only practical option for this property and accordingly I attach limited weight to this factor.
9. Therefore, I conclude that the proposal would represent overdevelopment of the property. As such it would be contrary to Policies LLP1, LLP19 and LLP25 of the Local Luton Plan 2011-2031, which together require development proposals to respond to local character and to be of a scale and mass consistent with and proportionate to the principal dwelling and of an ancillary scale. It would also conflict with the National Planning Policy Framework which requires development to be sympathetic to local character.

Conclusion

10. Accordingly, I dismiss the appeal.

K Winnard

INSPECTOR