



# Appeal Decision

Site visit made on 16 March 2022

**by M Chalk BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 5<sup>th</sup> April 2022**

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**Appeal Ref: APP/B0230/W/21/3286076**

**2 Holmscroft Road, Luton, LU3 2TJ**

- 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 M Naveed against the decision of Luton Borough Council.
  - The application Ref 21/00714/FUL, dated 19 May 2021, was refused by notice dated 15 July 2021.
  - The development proposed is erection of 3-bedroom detached dwelling house.
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## Decision

1. The appeal is dismissed.

## Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

3. The appeal site is a corner plot at the junction of Holmscroft Road and Watermead Road. Houses in the immediate vicinity of the site are predominantly pairs of two-storey semi-detached properties with gabled roofs. While there is some variety in external materials and features such as porches, overall there is a consistent pattern of development in the surrounding area.
4. The appeal proposal would introduce a single detached house to the side of the host property, No 2. This would be an incongruous feature in the street scene, out of keeping with the established pattern of pairs of semi-detached houses. While the proposed house would be similar in appearance to the host dwelling in the Holmscroft Road street scene, it would be wider and would have a two-storey rear projection that would extend significantly beyond the rear building line of the existing house. The proposed house would be no higher than the host dwelling, and would be level with its front elevation, but due to its greater width and depth and its location on this corner plot it would be prominent in the street scene. As a consequence, it would be harmful to the character and appearance of the area.
5. Permission has been granted for an attached dwelling to No 2, which the appellant suggests would be less in keeping with the character of the area. However, there is a wide two-storey extension to No 1 opposite the site and several instances of two-storey side extensions to houses in both Holmscroft Road and Watermead Road. I note that the approved attached house was also wider than No 2, but only had a relatively shallow single-storey rear projection.

This approved dwelling is therefore more sympathetic to the scale and pattern of development in the area than the appeal proposal.

6. The appeal site makes a limited contribution to the spaciousness of the area, which would be diminished by the appeal proposal. However, the site is enclosed with a close-boarded fence, and the approved attached house would be of the same height and similar width although lesser depth. On balance, therefore, the appeal proposal would not result in a significantly greater impact to the spaciousness of the area than the approved house.
7. My attention has been drawn to appeal decisions in the borough allowing a detached bungalow in Harlestone Close, and a two-storey house in Stanmore Crescent. In the Harlestone Close decision, the Inspector noted a mixture of building styles and that a variety of building profiles draws the eye in the vicinity of the appeal property. In addition, the proposal was for a bungalow that would be a subordinate feature to its host property. That development therefore differs significantly from this appeal proposal, and accordingly carries limited weight in my assessment.
8. The proposal in the Stanmore Crescent case was for a detached house on a corner plot next to a semi-detached pair. It is therefore more similar to the proposal before me than the Harlestone Close proposal. However, the Inspector noted that the appeal proposal was narrower than the host dwelling with a lower ridge height and would be set back from its front elevation. In addition, the Inspector noted the varied character and appearance of the area and detached properties in a range of scales and styles. There are therefore also significant differences to the appeal proposal, and this decision consequently carries moderate weight in the overall balance.
9. My attention has also been drawn to the presence of detached houses in the wider area. However, the absence of any such houses in the immediate vicinity of the site attracts greater weight in the determination of this appeal.
10. Overall, therefore, the appeal proposal by reason of its size and siting would cause harm to the character and appearance of the area, and neither the presence of detached houses in the wider area nor the allowed appeals to which my attention has been drawn outweigh this harm. It would therefore conflict with Policies LLP1 and LLP25 of the Luton Local Plan 2011-2031. Taken together these policies require that development be of high quality design that will preserve or improve the character of the area.

#### *Other Matters*

11. The appeal site is within the zone of influence for the Chiltern Beechwoods Special Area of Conservation (the SAC). The matter has not been raised by the parties, but I have a duty under the Conservation of Habitats and Species Regulations 2017 to test if a proposed development could significantly harm the protected features of the SAC. However, as I am dismissing the appeal for other substantive reasons, it is not necessary to address this matter any further.

#### *Planning Balance*

12. The appeal proposal would create one new three-bedroom house with an acceptable standard of accommodation in a sustainable location with access to public transport and local amenities nearby. There is no indication that the

Council has a shortfall in its supply of housing land or housing delivery, but the provision of new housing is nevertheless a benefit that weighs in favour of the proposed development.

13. However, the appeal proposal would cause harm to the character and appearance of the area. This harm outweighs the benefits of a single new dwelling in this instance. There are therefore no material considerations that indicate that this appeal should be determined otherwise than in accordance with the development plan.

### **Conclusion**

14. For the reasons set out above, the appeal fails.

*M Chalk*

INSPECTOR