
Appeal Decision

Site visit made on 16 August 2022

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 September 2022

Appeal Ref: APP/B0230/W/22/3297172

61 Castlecroft Road, Luton LU1 5RN

- 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 Awad Hussain against the decision of Luton Council.
 - The application Ref 21/01182/FUL, dated 19 August 2021, was refused by notice dated 19 October 2021.
 - The development proposed is erection of a three bed attached dwelling house - Resubmission.
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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 forms part of the garden area at the side of No. 61 Castlecroft Road (No. 61) a two storey semi-detached property that occupies a prominent corner plot. The proposal would involve the construction of a two storey attached dwelling with provision of parking spaces and ancillary works.
4. The appeal site is located in a mature well-established residential area, typically characterised by two storey semi-detached and terraced properties set back from the road behind front gardens/driveways. The properties are relatively evenly spaced, of comparable scale and form. Where extensions and other structures exist between dwellings, these are very low, clearly subsidiary, and have little impact upon the sense of separation. No. 61 being situated on a corner plot has more expansive grounds, which add to the open character and appearance of the area.
5. Whilst visually the design of the proposed dwelling would be acceptable, the scale and two storey form of the proposed dwelling would nevertheless still be a significant addition in this location. Such positioning, on what would be an atypically narrow plot, would erode the visual gap between the dwelling and the highway, interrupting the established pattern of development and compromise the sense of space and openness in the area.

6. These shortcomings would be exacerbated by the proposal's prominent position, which would be visible from a number of public vantage points along the surrounding roads and the hard edged appearance of the new car hardstanding area shown on the submitted Block Plan at the front of the existing property at No. 61. The position of the proposed dwelling in close proximity to the northern side boundary would provide limited opportunity to soften the impact of development through a comprehensive landscaping scheme in this location. I therefore consider that the proposed development, by virtue of its scale, siting and layout, would fail to promote or reinforce the distinctive characteristics of the area and would adversely harm rather than positively contribute to the character and appearance of the area.
7. I have considered the appellant's arguments that the design and layout of the proposed development has been carefully considered and redesigned in response to the comments received on the previously refused scheme on the site in order to minimise any impacts on the area. Whilst the use of matching materials, fenestrations, boundary treatment and landscaping would assist with integrating the proposal with the area, these aspects do not overcome the adverse effects outlined above.
8. Consequently, I conclude that the proposal would result in harm to the character and appearance of the area. It would be contrary to the overall aims of Policies LLP1, LLP15 and LLP25 of the Luton Local Plan 2017 which, amongst other things, require development proposals to be of a high quality design that create quality places, optimise higher densities and improve or enhance the distinctiveness and character of the area. In addition, the proposal would not accord with the National Planning Policy Framework that developments should seek to secure a high quality of design (paragraph 126) that are sympathetic to the local character (paragraph 130).

Other Matters

9. I have noted the other developments drawn to my attention by the appellant. However, the infill style residential developments in the area are of a different scale and form to the appeal scheme. As such, whilst I have taken these other examples into account, they do not materially alter my conclusions on the appeal proposal.
10. I have considered the various benefits put forward by the appellant that the proposal would bring arising from the scheme's design, the use of energy efficient and sustainable construction methods, the effective use of land on a small site within an accessible location and through contributing to the housing supply in the area. While I have given them some weight in favour of the appeal, these benefits would not be sufficient to outweigh the harm I have identified. For all these reasons, there are no other material considerations to outweigh the development plan conflicts identified.

Conclusion

11. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Troy

INSPECTOR