
Appeal Decision

Site visit made on 14 November 2022

by K Ford MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2022

Appeal Ref: APP/B0230/W/22/3303453

30 Lancing Road, Luton LU2 8JN

- 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 Canney against the decision of Luton Council.
 - The application Ref 22/00291/FUL, dated 13 April 2022, was refused by notice dated 9 June 2022.
 - The development proposed is erection of new 2 bedroom dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal site is a semi-detached dwelling on a corner plot in an area of dwellings of similar type within a residential area. The property is located on a bend in the road with a side garden providing a sense of spaciousness in an otherwise built up area.
4. The corner location and proposed position of the new dwelling forward of the existing building line would create a prominent addition and lead to the loss of spaciousness that currently exists. It would not create a balanced housing layout, as suggested by the appellant.
5. Whilst the eaves and ridge height would mirror the neighbouring properties and would replicate the horizontal and vertical lines created by the porch and windows of the neighbouring properties, the proposed detached dwelling would take a different form to the other semi-detached properties in the vicinity and would appear narrower than neighbouring dwellings, creating a cramped incongruous addition. Whilst amendments were made to earlier versions of the scheme, they are insufficient to make the development acceptable.
6. In support of their scheme the appellant has made reference to a 2 storey extension at No 34 that sits closer to the footpath than the proposal. From my observations on site, the house style is different to the case before me, as is the style of neighbouring dwellings. It is not therefore directly comparable. In any event, each case is determined on its own merits and my assessment is based on the evidence before me.

7. The proposal would harm the character and appearance of the area and therefore would conflict with Policies LLP1, LLP15 and LLP25 of the Luton Local Plan 2011-2031. Amongst other things, these policies require new development to contribute to enhancing a sense of place and preserve or improve local character and be of high quality design. It also requires new housing to not result in the over-intensification of a site.

Other Matters

8. The appellant has identified that the development would contribute towards meeting housing need in an appropriate location for housing development. However, given that the proposal would be for one dwelling, the contribution would be minimal and be outweighed by the harm to the character and appearance of the area. Similarly, any absence of harm to the living conditions of the occupants of neighbouring dwellings and the absence of any objection by the Highways Authority does not outweigh the harm I have identified.

Conclusion

9. For the reasons identified, I conclude that the appeal should be dismissed.

K Ford

INSPECTOR