
Appeal Decision

Site visit made on 23 November 2022

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 December 2022

Appeal Ref: APP/B0230/D/22/3305488

142 Austin Road, Luton LU3 1UB

- 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 I Shahbaz against the decision of Luton Borough Council.
 - The application Ref 22/00439/FULHH, dated 9 April 2022, was refused by notice dated 14 June 2022.
 - The development proposed is the erection of a single storey side and rear extension, extended roof and new boundary wall and garage extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

3. The proposed development includes an extension which would wrap around the side and rear of a modest sized semi-detached bungalow where a large rear dormer extension and a hip to gable roof extension have already been erected. The property is located at the junction of Austin Road and Wadhurst Avenue. The properties along these roads are predominantly semi-detached houses and bungalows of varied styles and designs set back from the footways to the rear of landscaped front gardens which are also used for parking. Several of these dwellings have been altered, including the erection of single and two storey extensions and dormer roof extensions of varying styles and designs. These additions are generally subordinate to the size of the host dwellings.
4. The appellant refers to a previous scheme to extend the property which was the subject of a dismissed appeal but the details of this previous scheme have not been provided. Similarly, and although they were visited during the site visit, the detailed planning circumstances of 171 Austin Road and 93 Wadhurst Avenue (including the appeal decision referred to) have not been provided. In the absence of these details, limited weight has been given to the previous scheme and the other schemes and the proposed development has been assessed on its own planning circumstances.
5. By being sited at the road junction, the property is on a relatively spacious plot and, as such, the proposed extensions would not result in a cramped form of development.

6. When assessed in isolation, the single storey side extension would be a modest addition to the property. The reinstatement of a hipped roof form as part of the side extension would visually be an improvement to the appearance of the property. The minor extension to the roof dormer would not be a material change albeit the scale of this existing addition to the rear roof slope is significant and already has an adverse effect on the character and appearance of the property's rear elevation when viewed from Wadhurst Avenue.
7. There would be a reduction in the gap between the flank wall and the existing side boundary because of the proposed side extension. However, side extensions have been erected at other dwellings located at road junctions in the surrounding area. The reduced gap between the extended property's flank wall and the side boundary would have a similar relationship as the other schemes. The proposed 2-metre high brick wall adjacent to Wadhurst Avenue would have the same sense of enclosure as the existing fence.
8. The single storey rear extension would also be a modest addition to the property when assessed in isolation but it would be joined to the side extension thereby wrapping around 2 elevations of the property. When the existing and proposed alterations to the property are assessed cumulatively, the appeal scheme would not be visually nor physically subservient to the modest sized bungalow which previously existed. The overall scale of the alterations at the rear and side of the property would be highly visible from public views along Wadhurst Avenue and this would not be mitigated by the proposed brick boundary wall. Although the rear roof dormer has already had an impact, the scale and form of the existing and proposed extensions would materially unbalance the appearance of this pair of semi-detached bungalows.
9. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the surrounding area and, as such, it would conflict with Policies LLP1, LLP19 and LLP25 of the Luton Local Plan. Amongst other matters, these policies require development proposals to be of a high quality design that create quality places and improve or enhance the distinctiveness and character of the area. The appeal scheme would not accord with the National Planning Policy Framework (the Framework) whereby developments should seek to secure a high quality of design which is sympathetic to the local character.
10. The appellant claims that the appeal scheme would constitute an effective use of land and a sustainable form of development in accordance with the requirements of the Framework. Further, the appellant claims that there is a family need for the accommodation provided by the appeal scheme. Although these matters have been considered, they are given only limited weight in the determination of this appeal and do not amount to circumstances which outweigh the unacceptable harm and conflict with the development plan which has been identified. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR