



Appeal Decision

Site visit made on 21 February 2023

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Housing, Communities and Local Government

Decision date: 10th March 2023

Appeal Ref: APP/B0230/D/22/3312098

31 Cannon Lane, Luton LU2 8BJ

- 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 Robert Burton against the decision of Luton Borough Council.
 - The application Ref 22/00661/FULHH, dated 24 May 2022, was refused by notice dated 9 September 2022.
 - The development proposed is the erection of an 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 the streetscene.

Reasons

3. The appeal property is a 2-storey semi-detached dwelling which fronts a short cul-de-sac of similar types of dwellings. There are variations in the design of these dwellings, including some properties having a projecting gable feature and others being extended. These alterations include 29 Cannon Lane which is the other semi-detached dwelling joined to the property and has a gable rather than hipped roof form.
4. The proposed development includes a side and a front gable extension. By reason of its scale, when viewed from the road the proposed side extension would be a significant, rather than subordinate, addition to the host property. The resulting property would unbalance this pair of semi-detached dwellings. The unbalanced appearance of this pair of semi-detached dwellings would be accentuated by the proposed front gable which is not a design feature shared by No. 29. The resulting width of the extended host property's front elevation would also be a similar size to the combined pair of other semi-detached dwellings fronting the road.
5. Further, the impression of a 3-storey extension associated with the side elevation's fenestration, the scale and design of the proposed rear dormer, the awkward shape of the proposed extension's footprint and the juxtaposition between the dormer and the side extension also contribute to the poor design quality of the appeal scheme. In combination with the scale of the side extension, these matters would result in unacceptable harm being caused to both the character and appearance of the host property and the streetscene.

6. The assessment of the proposed development has taken into account the size of the property's curtilage, the location of the property adjacent to dwellings which are orientated at an angle to the road junction and the gable roof form of No. 29. Account has also been taken of the absence of any claimed harm to the living conditions of the occupiers of neighbouring properties and the alterations to 9 Cannon Lane. However, even when assessed cumulatively, these matters do not outweigh the unacceptable harm which has been identified.
7. For these reasons, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the host property and the streetscene 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. Accordingly, it is concluded that this appeal should be dismissed.

D J Barnes

INSPECTOR