



Appeal Decision

Site visit made on 26 October 2023

by Ian McHugh DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23.11.2023

Appeal Ref: APP/B0230/D/23/3324546

18 Watermead Road, Luton, LU3 2DT

- 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 H and Mrs Iqbal against the decision of Luton Borough Council.
 - The application Ref 23/00132/FULHH, dated 4 February 2023, was refused by notice dated 3 April 2023.
 - The development proposed is a first-floor side extension, single storey front and side extensions and alterations to fenestration, following the demolition of existing front and side extensions.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the appearance of the streetscene.

Reasons

3. The appeal property is a semi-detached dwelling, which is situated in a prominent position on the corner of Watermead Road and Leathwaite Close. The character and appearance of the area is mixed in terms of house sizes and design and it is apparent that a number have been altered and extended since originally built.
4. The appeal property has been the subject of a number of recent applications and a dismissed appeal (APP/B0230/D/20/3254204) for various extensions and alterations. The Council officer's report states that the first-floor side and single storey front extensions that are currently proposed are identical to those approved by the Council under reference 22/01361/FULHH. Consequently, the contentious element of the appeal proposal is the single storey side extension, which would be built close to the side boundary with Leathwaite Close.
5. The side extension would provide storage space for the occupants of the dwelling. It would be set-back from the front of the dwelling and would have a hipped roof with its lowest point adjacent to Leathwaite Close. The extension would replace an existing, smaller utility room.
6. The Council contends that the proposal would be a prominent and visually discordant feature that would be out of character with the area, because of its

scale and design. It states that the proposal would conflict with Policies LLP1, LLP9 and LLP25 of the Luton Local Plan (LP). These policies require development to respond to the character of the area; to be in keeping with the existing building; and to respond positively to the townscape and streetscene. These accord with Paragraph 130 of the National Planning Policy Framework (The Framework), which contains similar provisions.

7. In addition, the Council refers to the 2020 appeal decision, in which the Inspector concluded that a flat roofed attached garage, positioned in a similar manner to the current appeal proposal, when combined with other proposed extensions would result in development that would appear cramped and prominent within the plot.
8. In considering the current appeal, I am required to give weight to the planning history of the site and the comments of the previous Inspector. In this case the proposed store would have a very similar impact. In fact, the hipped roof adds to the mass and bulk of the extension and, therefore, it could be argued that its visual impact would be greater as a result. In my opinion, the proposal would appear cramped and overly prominent in the streetscene. This would be particularly harmful given the site's corner location.
9. The appellant has stated that a domestic outbuilding could be constructed on the side as permitted development. He points out that the outbuilding would have to be detached from the dwelling and have a flat roof. However, it could be longer in length. It is contended that this constitutes a fallback position, which is a material consideration. It is also argued that the design of the appeal proposal is preferable to the permitted development outbuilding.
10. I accept that the construction of an incidental outbuilding is a possibility and it is, therefore, a material consideration. However, such a building would be likely to have less of an impact because of its lower height and because it would be detached from the dwelling. Accordingly, this possibility does not outweigh the harm to the appearance of the streetscene and the conflict with the LP that I have identified above.

Conclusion

11. For the reasons given above, the appeal is dismissed.

Ian McHugh

INSPECTOR