



Appeal Decision

Site visit made on 25 February 2025 by E Street BSc (Hons) MSc

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd April 2025

Appeal Ref: APP/B0230/D/25/3358544

51 Stephens Close, Luton LU2 9AN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr S. Malik against the decision of Luton Borough Council.
 - The application Ref is 24/01015/FULHH.
 - The development proposed is a two storey side extension and single storey rear extension with external render.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Prior to the making of this recommendation, a revised National Planning Policy Framework was published. Having reviewed the changes, I am satisfied that they do not affect the substantive matters of the appeal and that proceeding without further consultation with the main parties would not be prejudicial to their respective cases.
4. I have corrected what appears, having seen the submitted plans, a minor typographical error in the description of development in regard specifically to the side element of the proposed works. From what I observed on site, the render to the external elevations of property has been completed. The appeal has therefore been assessed on a part retrospective basis.

Main Issues

5. The main issues are the effect of the proposal on a) the character and appearance of the area; and b) the living conditions of occupiers with particular regard to the garden provision.

Reasons for the Recommendation

Character and Appearance

6. The appeal site is a semi-detached dwelling which has been previously extended to include a flat roof dormer and a change in the roofline from a hip to a gable. It is

located on a visually prominent corner plot. Many local dwellings, whether they are semi-detached or detached, are generally uniform in terms of their design, symmetry and material choices. These features, as well as the space to the side of the building, contribute to a pleasant open feel and consistency to the character and appearance of the area.

7. The appeal proposal would wrap around the dwelling and erode any remaining features increasing the contrast between the semi-detached dwellings and detracting from the consistency. Moreover, the accumulation of current and proposed extensions would result in a large increase in land take which would erode the appearance of the modest building and compete for visual dominance. They would be highly visible due to the corner siting and the increased width, whilst it would not double the width of the existing dwelling, would emphasise the visual effect of the scheme as a whole.
8. Notwithstanding the remaining gap between the pathway and highway, the increased built form against the boundary would result in a loss of the spacious feel to the open corner. Whilst reintroducing the hipped roof line to the property, the scheme would leave an elevated flat element from the dormer which would appear awkward and disjointed. Moreover, it would match the eaves and ridgeline of the existing dwelling which would not appear subservient.
9. The white render on the property is a distinguishable feature, however, it does not result in unacceptable harm to the building due to the previous changes already resulting in a loss of symmetry between the semi-detached buildings. Additionally, there are some instances of render on neighbouring properties, which would lead to this full introduction having a logical relationship with the wider street.
10. The description for Number 8 Stephens Close (No 8) reflects development to the rear of the property. I am unaware of the planning status, policies and prevailing guidance for the side extension element. Whilst there are some similarities with the appeal proposal, they are not significantly comparable due to the siting of No 8 being within a row of dwellings and seamlessly integrating with the street scene.
11. With this and the above in mind, the overall appeal scheme would cause unacceptable harm to the character and appearance of the area. It would therefore conflict with Policies LLP1, LLP19 and LLP25 of the Luton Local Plan 2017 (LLP) and the Framework which together seek to ensure that development proposals are of a high-quality design and standard amongst other things.

Living Conditions

12. The existing outdoor garden space is to the front, side and rear of the property. The space to the side and marginally to the rear would be lost to the development. In addition, and by virtue increased bedroom number, two additional car parking spaces are proposed in the rear garden. It would therefore leave in the region of 30 square metres of space. Appendix 6 of the LLP refers to the private amenity space standards. The resultant garden space would fall under the standards; however, they are based on new dwellings, and it doesn't automatically mean there is a conflict with the plan in this regard.
13. Notwithstanding this, I am unconvinced that the remaining garden space would be suitable for what would be a six bedroom house to accommodate usable features such as a washing line or garden furniture. Moreover, the appellant has not

demonstrated how such features could be achieved. It would be a very small garden which would not only also have parked and manoeuvring vehicles adjacent which would reduce the quality of the space, but it would have significant practical issues with its usage for household and enjoyment purposes.

14. The proposed development would therefore fail to provide acceptable living conditions for its occupiers. As such, it would be contrary to Policies LLP1 and LLP25 of the LLP and Section 12 of the Framework which, amongst other things, seek to ensure that the living conditions of occupiers of properties are protected.

Other Matters

15. Any perceived lack of communication by the Council would be for them to make a comment on and not for me to resolve in this appeal which is concerned with the planning merits of the proposed development. It is not sufficiently clear that the proposed development is the only way of meeting the increased internal space requirements of the incumbent family. I therefore attach moderate weight to this personal need. I appreciate that the appellants are seeking to reduce their carbon emissions by improved insulation and lighting, I therefore attach moderate weight to this but am unconvinced that the appeal scheme is the sole means of achieving it.

Conclusion and Recommendation

16. For the reasons given above, the appeal scheme would not comply with the development plan, and I have been given no compelling reason, taking into account other material considerations advanced, to deviate therefrom. I therefore recommend that the appeal should be dismissed.

E Street

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR