



Appeal Decision

Site visit made on 7 January 2026

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 14th January 2026

Appeal Ref: APP/B0230/W/25/3375851

6 Masters Close, Luton LU1 5PH

- 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 Igal Levy of Valev Ltd against the decision of Luton Borough Council.
 - The application Ref is 25/00747/FUL.
 - The development proposed is the internal renovation and refurbishment to convert existing premises from 6-Room HMO as C4 Use into 8-Room HMO as Sui-Generis use.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Amended plans have been submitted by the appellant which correct the red line boundary and the position of existing external doors as well as relocating the bin storage to the front of the property and the cycle storage to the rear. Although the appeals process should not be used to evolve a scheme, in this instance, I am satisfied that the amendments are not substantial and that accepting the plans would not prejudice any party. Therefore, I have considered the unnumbered amended Location Plan and Block Plan, as well as drawings ABC481/1000 REV A, ABC481/1002 REV A and ABC481/1004 REV A.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character of the area and the living conditions of neighbouring residents with particular regard to noise and disturbance; and
 - whether there would be adequate car and cycle parking provision.

Reasons

Living Conditions

4. The area is residential in character, with Masters Close comprising a quiet cul-de-sac with eight dwellings, predominantly in use by single family households. Two pairs of semi-detached houses flank a short terrace at the south end of the street. The appeal property comprises an extended end of terrace house, with little separation from the nearby semi. It currently accommodates a 6-Room HMO, with the draft HMO license currently awaited following a successful inspection. The proposal would not require any external works but would increase the occupancy of the existing HMO up to eight unrelated individuals.

5. Each individual would have their own separate work/domestic regimes and attract their own visitors and deliveries at different times during the day and evening. In this respect, the proposal would inherently increase the volume of movements to and from the property, compared to its current occupancy, and the range of times when these activities take place.
6. Adequate internal space would be provided, however there would be no restrictions on the future residents' access to the rear garden. Due to the increase in occupancy, eight separate individuals using the rear garden for daily activities, recreation and for entertaining visitors would result in a more intensive use than would currently be the case.
7. Although the increase would be limited, there would be two additional occupants. Consequently, due to the constrained nature of the appeal site and the proximity of the neighbouring dwellings, the noise and disturbance generated by the additional occupants and their associated visitors and deliveries would be noticeable and at odds with the existing quiet residential character of the street.
8. The appellant asserts that the property could be occupied by a multigenerational household. However, the day-to-day lives of an extended family such as this, would be heavily intertwined with fewer movements expected, and would therefore result in lower levels of noise and disturbance than eight unrelated individuals. Consequently, I am satisfied that the proposal would increase noise and disturbance to a greater degree for neighbouring residents.
9. Therefore, I conclude that the development would have a harmful effect on the character of the area and the living conditions of neighbouring residents with particular regard to noise and disturbance. This conflicts with Policies LLP1, LLP17 and LLP25 of the Local Luton Plan 2011-2031 (November 2017) (LLP), where they require development to be of high-quality design with an adequate standard of amenity. Further, the proposal would conflict with the National Planning Policy Framework (Framework) which requires all developments to create places with a high standard of amenity for existing and future users.

Car and Cycle Provision

10. Masters Close has a row of off-street parking towards the north with some of the dwellings benefiting from additional off-street parking within their front gardens. The street layout and existing parking arrangements leaves little space for any additional, lawful and considerate, on-street parking to take place.
11. The parties agree that two car parking spaces are required. The front drive is sufficient to accommodate two cars. Nevertheless, due to the width of the dropped kerb and position of the drive in comparison to the highway, if a car were occupying the first space, there would be insufficient manoeuvring space to safely access/egress from the second space adjacent No 7 Masters Close without mounting the pavement. Effectively reducing the number of off-street spaces available to future residents to one.
12. Despite the recently installed CCTV, the lack of easily accessible off-street parking would result in the excess vehicle parking on the highway; it is likely that this would take place on Masters Close itself to remain as close as possible to the appeal property. Due to the constraints as described above, any increase in on-street

parking would create an obstruction, impeding the flow of traffic and decreasing visibility to the detriment of highway safety.

13. Space for the storage of nine bikes would be provided in the rear garden, accessed via the side passage. Although the bins have been relocated to the front of the property, the proposed route was not accessible at the time of my site visit due to a shed of substantial construction, built up to the side access door.
14. Nevertheless, the submitted plans indicate that the last portion of the proposed route currently occupied by the shed would be extremely narrow, making it difficult to navigate when pushing a bike. If the shed were to remain in place, residents would need to push bikes through the property to access the rear garden storage. In both instances, future residents would be unlikely to make use of the proposed cycle storage due to the inconvenient access route.
15. Consequently, I conclude that the proposal would fail to provide adequate car and cycle parking provision. It would conflict with Policies LLP1, LLP31 and LLP32 of the LLP, which collectively seek to reduce safety risks and provide sustainable transport choices with adequate car and cycle parking.

Other Matters

16. The proposal would provide acceptable living conditions for future occupiers within an accessible location. The HMO would benefit from a suitable management plan. Further, it would not impact any priority habitats. Nevertheless, these are neutral matters which neither weight in favour or nor against the proposal.

Conclusion

17. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework that would outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR