

Planning Statement

Planning Application

Erection of part ground and part ground and first floor side and rear extension along with alterations to the roof to accommodate loft conversion and extension.

189 New Bedford Road Luton LU3 1LJ

DLA Ref: 2023/426

Date: November 2023

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1.0 INTRODUCTION

1.1.0 Background

1.1.1 This report relates to a planning application for the erection of a part ground and part ground and first floor side and rear extension along with alterations to the roof to accommodate a loft conversion and extension to an existing residential property at 189 New Bedford Road Luton.

1.2.0 Scope

1.2.1 This document comprises an overarching Planning Report. Sections 2 to 4 consider the physical, economic, social and historical context of the site, identifying the relevant local, regional and national planning policy framework; Section 5 sets out the details of the proposal. All these sections inform the evaluation of the proposal in Section 6 against the identified planning policy framework. The overall conclusions are set out in Section 7 and which are summarised below at paragraph 1.3.0.

1.3.0 Summary

1.3.1 The proposed development is for a proportionate extension to the property, in keeping with the character and appearance of the principal house and street scene, tying together existing permissions to provide a cohesive solution to the building which respects the residential amenity of neighbours and presents a high quality design.

2.0 **SITE & CONTEXT ANALYSIS**

2.1.0 **Location**

2.1.1 The site is located on New Bedford Road, opposite Wardown Park.

2.2.0 **Application Site**

2.2.1 The application site comprises an existing detached 4 bedroom residential dwelling over two floors with rear garden, front forecourt area and detached garage.

2.3.0 **Context**

2.3.1 New Bedford Road is one of the main roads through Luton, connecting the town to Bedford in the north. This part of the New Bedford Road is residential in character and is also characterised by the large Wardown Park.

2.4.0 **Proposals Map Notation**

2.4.1 The site does not have any notations in the local plan.

3.0 RELEVANT PLANNING HISTORY

3.1.0 Application Site

3.1.1 The relevant history of the application site is summarised in Figure 3.1.0 below.

LPA Ref	Proposal	Outcome
20/01596/FULHH	Erection of two storey side extension and single storey side/rear extension.	Appeal dismissed 14 July 2021
20/01508/PARES	Request for a determination as to whether prior approval is required under Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 2015 - Single storey rear extension. Depth 8.00m, Maximum height of extension 4.00m, Height to eaves 3.00m. (Detached)	Prior approval not required 19/01/2021
21/00486/LAWP	Erection of rear dormer window and hip to gable-end roof enlargement including three roof lights to front roof plane to facilitate loft conversion.	Certificate issued 17/05/2021
21/00746/FULHH	Erection of single storey side extension	Granted 20/08/2021

3.1.2 In respect of the scheme dismissed on appeal, the Inspectors concerns related to the scale and form of the proposed extension, and the effect on living conditions for the neighbouring occupiers. In respect of scale and form the relevant comments are as follows:

8. The scale and form of the proposed two storey side extension built in line with the front of the main house would nevertheless still be a significant addition relative to the main property. As such, although it would be constructed with a front bay window with small gabled roof to replicate the existing two storey gabled frontage, the proposed side extension would result in substantial bulk at the side and over the main dwelling that would be out of character with the more modest traditional form and appearance of the host building.

9. *These shortcomings would be exacerbated by the proposal's prominent position, where the proposed side extension would be visible from a number of public vantage points along New Bedford Road. The proposed two storey side extension, by virtue of its scale, siting and design, would fail to achieve an appropriate degree of subordination to the host property and would detract from its architectural integrity. As such, I consider that the proposed side extension would result in an incongruous and out-of-keeping addition that would cause unacceptable harm to the host property and the area.*

11. *Consequently, I conclude that the proposal would result in harm to the character and appearance of the host property and the area. It would be contrary to the overall aims of Policies LLP1, LLP19 and LLP25 of the Luton Local Plan 2017 (LP) which, amongst other things, require development proposals, including extensions, to be of a high quality design that improve or enhance the distinctiveness and character of the area. In addition, the proposal would not accord with the National Planning Policy Framework (the Framework) that developments should seek to secure a high quality of design (paragraph 124) that are sympathetic to the local character (paragraph 127).*

3.1.3 In terms of living conditions the relevant comments are:

13. *The appellant has submitted a daylight and sunlight assessment in accordance with BRE Guidelines to examine the impact of the proposed development. The assessment shows that the loss of daylight and sunlight to the windows and garden area at No. 191 would be within the permitted limits as set out in the BRE Guidelines. Given the overall design and layout of the part two storey/part single storey side extension together with the separate distance between the buildings, I consider that the side extension would not result in significant loss of available light to the main habitable rooms at the side and garden at the rear of No. 191.*

14. *Whilst I accept that there would be some impact from the development, given the overall height and design of the single storey flat roofed side/rear extension, together with the boundary treatment and the separation distance between the properties, I consider that the single storey extension would not significantly dominate the views to cause an overbearing effect and an unacceptable sense of enclosure from the windows and garden at the side and rear of No. 191. However, this is not a determinative factor on its own.*

15. *The two storey side extension would result in a long two storey projection running parallel with the common shared boundary and the small patio/sitting out area at the side of No. 191. The occupants of No. 191 would use this area to carry out leisure and household activities when relaxing and sitting out, particularly during the summer months.*

16. Given the overall scale and siting of the proposed two storey side extension and the separation distance between the properties, I consider that the proposed two storey extension would introduce a dominant and enclosing structure in close proximity to the common shared boundary and the small patio area at the side and to a more limited extent the garden area at the rear of No. 191. This, in my view, would significantly dominate the views to cause an overbearing effect and an unacceptable loss of outlook for the occupiers of No. 191. I therefore consider that the proposal would result in a poor quality living environment and an unacceptable change in the living conditions for the occupiers of the neighbouring property.

4.0 POLICY CONTEXT

4.1.0 National Policy / Guidance

4.1.1 The National Planning Policy Framework (NPPF) 2023, sets out the Government’s planning policies for England. The following sections are considered directly relevant:

Chapter 2: Achieving Sustainable Development

Chapter 4: Decision Making

Chapter 12: Achieving well designed places

4.2.0 Development Plan

4.2.1 The development plan comprises the Luton Local Plan 2011 – 2031 (2017). The key policies are as follows:

Policy No.	Title
LLP1	Presumption in Favour of Sustainable Development
LLP19	Extensions to Dwellings and Annexes
LLP25	High Quality Design
LLP32	Parking

5.0 DESCRIPTION OF DEVELOPMENT

5.1.0 Use

5.1.1 The application site is in use as a residential dwelling and would remain so.

5.2.0 Layout

5.2.1 The application is for the erection of a ground floor rear extension, ground and first floor side extension and alterations to the roof to accommodate a loft conversion and extension. The ground floor rear extension has the benefit of a prior approval notification reference 20/01508/PARES. The loft conversion and dormer has the benefit of a certificate granted under reference 21/00486/LAWP. The side extension has the benefit of a separate planning permission reference 21/00746/FULHH. All of these elements could be built without the need for any further planning approvals. Indeed, the ground floor extensions are currently under construction.

5.2.2 The only element of the proposals which doesn't have the benefit of a planning approval; is therefore the first floor extension. Of the other elements, the ground floor extension must be included with this application as it is not yet built yet and is required to accommodate the first floor. The roof of the first floor extension is constructed off the gable end of the loft conversion making those two elements physically linked, and so should be included in this application. The rear extension has been included with this application for completeness and so that the totality of the building's appearance is made clear.

5.3.0 Appearance & Scale

5.3.1 The proposed extension is designed to be subordinate to the host dwelling, and to use matching materials namely plain tiles on the roof, facing brickwork and render on the walls.

5.3.2 The first floor extension is set back from the ground floor by 900mm. This is a significant setback which retains the primacy of the host building in the street scene. The additional bedroom itself including an en-suite measures 8.2m in depth by 4.1m in width. In width terms it mirrors the extent of the ground floor extension.

5.4.0 Landscaping

5.4.1 The front and rear gardens are not affected.

5.5.0 Access

5.5.1 Access is not affected. Off street parking is provided to the front of the property and via the garage which is part of the ground floor extension.

6.0 **PLANNING CONSIDERATIONS**

Based on the analysis set out in Sections 2 to 5, I consider that the application proposal raises the following issues, which I will consider in turn below:

1. Design and impact on street scene, taking into account the matters raised in the previous dismissal on appeal, and an assessment of the revised scheme against relevant policy.
2. Residential Amenity, taking into account the matters raised in the previous dismissal on appeal.
3. Parking.

6.1.0 Issue No 1: Design and Impact on Street Scene

6.1.1 The proposed design of the building is a result of considering the feedback from the dismissed appeal Inspector's Report. As noted earlier in this planning statement, the key concern of the Inspector was the bulk of the two storey side extension and lack of setback, which meant that the proposed development dominated the host building, and completely changed its appearance.



Figure 1: existing and proposed principal elevations taken from the refused scheme.

6.1.2 By contrast, the new design retains the elevational integrity of the host building. The hip to gable extension benefits from permitted development rights but in any event is a common alteration to buildings of this type. Other than that, the main elevation is retained as existing other than the repositioning of the front door, with the side elevation set back at first floor level by a significant amount (900m) so as to emphasise its subordinate nature. The roof is also set down from the primary roof. This results in a principal elevation which is respectful of the host dwelling, with a proportional and well designed extension which respects the character of the street scene in this part of New Bedford Road, fully responding to the concerns of the Inspector about the previously appealed scheme.



Figure 2: existing and proposed principal elevation – current scheme

- 6.1.3 As such, the proposed development complies with the requirement of Local Plan Policy LP19 in that it:
- i) is proportionate to the principal dwelling, surrounding properties and streetscape (particularly taking into account the number and size of extensions in the local area);
 - ii) is of ancillary scale to the principal building;
 - iii) Has a roof style and pitch in keeping with the principal building, bearing in mind the certificates of lawfulness and planning permission already in place – the use of a crown roof for the extension ensures it remains subordinate to and does not compete with the original building, and would adjoin seamlessly to the gable wall of the original house;
 - iv) – dealt with in next section;
 - v) ensures gaps and spaces between buildings are generous and avoid a cramped appearance.
- 6.1.4 Turning to Policy LLP25, the proposal responds positively to the townscape by complying with the requirements of LLP19 and introducing a proportionate and subordinate extension to the principal building.
- 6.1.5 In terms of scale, built form, design and impact on the street scene, the proposed development is considered to fully respond to the Inspector’s concerns and to be compliant with the relevant parts of LLP19 and LLP25.

6.2.0 Issue No 2: Residential Amenity

6.2.1 In the dismissed appeal, the main amenity concern was the impact on number 191, due to the length of the two storey projection running parallel with the site boundary having an enclosing impact on the neighbouring garden.

6.2.2 Whilst the revised scheme retains a double height extension in the same location (albeit smaller due to the set back and set down), the impact on the neighbour is considered to be acceptable. Additional analysis has been carried out in terms of the elements of the extension which would be visible and have an impact on the neighbour. Context Drawing reference 6351-27 shows that the double height element will not extend past the garage of the neighbour and does not extend along the part of the boundary containing the patio area. The single storey element already has planning permission under reference 21/007046/FULHH and so would be built in any event. It follows that there will not be an enclosing or overbearing effect on the amenity of the neighbour at 191 New Bedford Road.

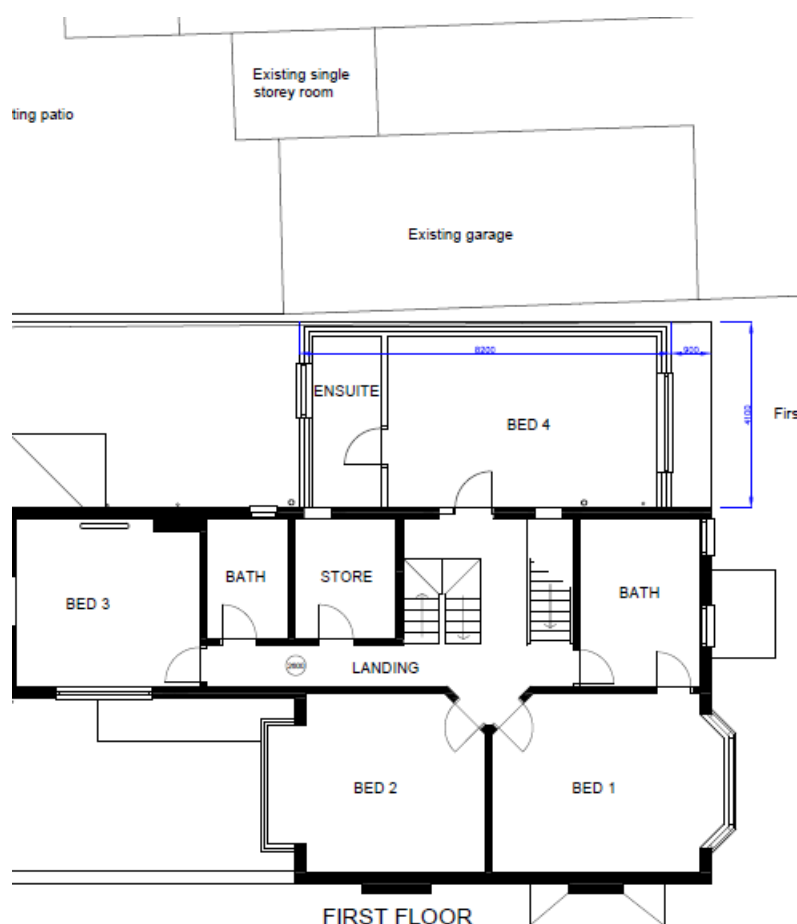


Figure 3: Extract from drawing 6531-27

- 6.2.3 Importantly, the Inspector concluded that there would be no impact on daylight and sunlight. This must also be the case for this revised scheme as it does not project any further back, or towards the neighbour than the appeal scheme.
- 6.2.4 No other potential amenity concerns have been identified.
- 6.2.5 in terms of an assessment against LLP19 iv) it can be concluded that the proposed extension will not adversely affect the amenity of nearby occupiers in that:
- there will be no visual intrusion
 - there will be no loss of privacy and no overlooking from proposed windows
 - there will be no material loss of light.
- 6.2.6 It follows that the proposed development is policy compliant in respect of residential amenity.

6.3.0 Issue No 3: Provision of Parking

6.3.1 No change to the parking is proposed, which is to the front of the property. Sufficient off street parking is therefore available to serve the dwelling and this is not impacted by the addition of the new bedrooms. The application site is on a bus route and has good public transport accessibility. There is therefore no conflict with Policy LLP32 or Appendix 2 of the Local Plan.

7.0 CONCLUSIONS

7.1.1 This report relates to a planning application for the erection of a part ground, part ground and first floor side and rear extension along with alterations to the roof to accommodate a loft conversion and extension. The proposal is promoted in the following circumstances:

1. The proposed development represents a proportionate extension, that remains subordinate to the principal building and sits comfortably in the street scene, preserving the character and appearance of the area.
2. There are no adverse impacts on residential amenity of occupiers or neighbours.
3. Appropriate off street parking already exists and is retained.

7.1.2 It follows that the application represents sustainable development that complies with the relevant policies of the development plan, and should be approved without delay.

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