

Planning, Design and Access Statement

74 Wellington Street, Luton,
LU1 5AA

Prepared For
Mr A Miller

3109
January 2024



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CHARTERED TOWN PLANNERS

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1 INTRODUCTION

- 1.1 This Planning, Design and Access Statement has been prepared in support of a planning application for three residential flats, including the construction of a three storey rear extension and alterations to the roof, at 74 Wellington Street, Luton.
- 1.2 The purpose of the Statement is to review the prevailing planning policies and other material considerations which are relevant to the determination of the application and to present a case for granting permission.



2 SITE DESCRIPTION AND SURROUNDINGS

- 2.1 The application site is located on the north-west side of Wellington Street, Luton, and comprises a vacant retail shop with associated living accommodation on the first and second floors (also vacant).



Site location plan

- 2.2 As shown above, the site also comprises an area of land on the opposite side of the road.
- 2.3 The existing building is mid-terraced and three storeys in height. It is constructed of brick and has a pitched slate roof. On the front elevation there is shopfront at ground level and a projecting bay window at first floor. At the rear there is an existing two storey projection, spanning approximately half the width of the existing building.
- 2.4 The site has no off-street parking or vehicle access.
- 2.5 The site is not in a Conservation Area and the building is not Statutory Listed.

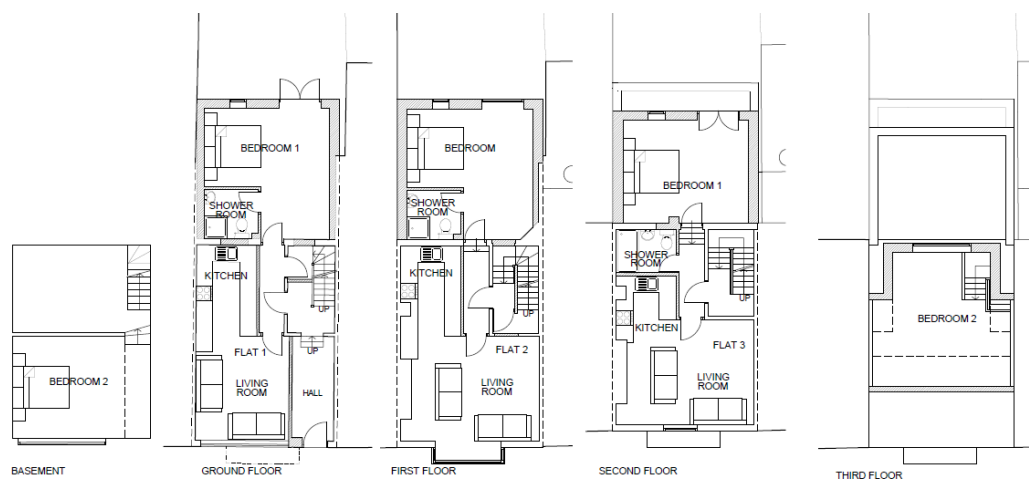


2.6 The site is sustainably located within Luton Town Centre, approximately 200 metres to the south of the main commercial core.



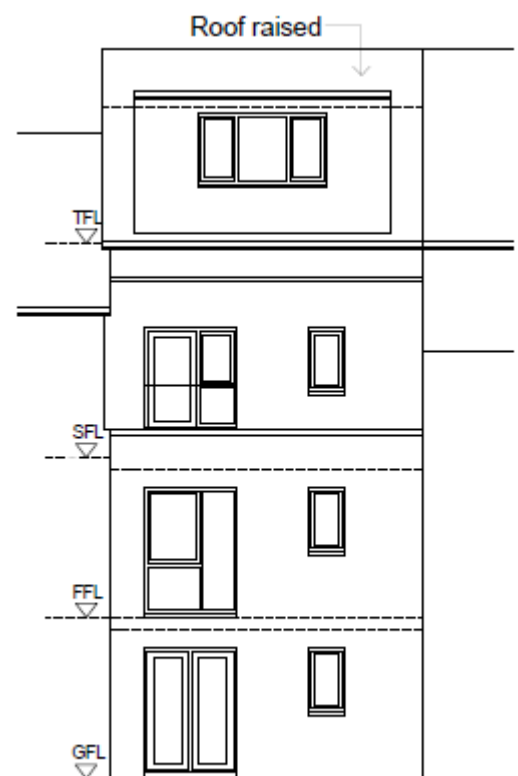
3 THE DEVELOPMENT

- 3.1 Planning permission is sought to redevelop the site to provide three residential flats. This will involve the extension and conversion of the existing building, with the addition of three storey rear extension (to replace the existing two storey rear projection), a modest increase in roof height, and a rear dormer window.
- 3.2 The extended ground floor and existing basement will be converted into a two bedroom, four person flat, with a private amenity garden to the rear. The extended first floor will provide a one bedroom, two person flat, and the second floor and the converted roof space a two bedroom, three person flat.



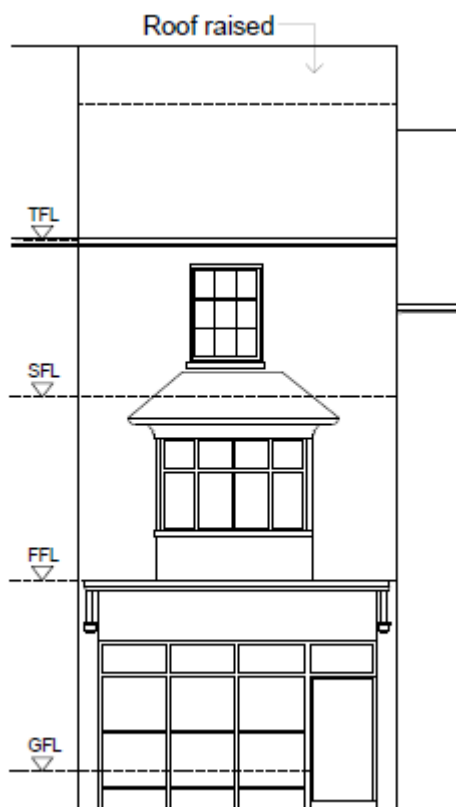
Proposed floor plans

- 3.3 The three storey rear extension will replace the existing two storey projection. Like the existing projection it will have a flat roof but will span the full width of the building. The second floor will be set back slightly, and it will be constructed of matching materials (brick).



Proposed rear elevation

- 3.4 The proposed increase in roof height will be modest and will match the ridge height at the adjoining property 76 Wellington Street. The rear dormer will be set down from the ridge and in from the sides, forming a subservient addition to the building (similar to the existing dormer window at the rear of 78 Wellington Street).
- 3.5 The front door on the existing shopfront will be repositioned (to provide access to all three flats) and the bottom timber panels in the shopfront will be replaced with glass to serve the bedroom in the basement.



Proposed front elevation

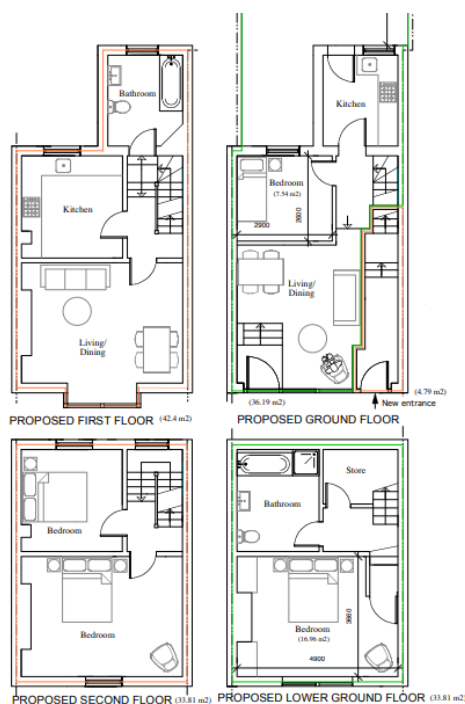
- 3.6 As set out above, the site has no vehicle access or off-street parking. Given the close proximity to the Town Centre and public transport options this would be a car free scheme.
- 3.7 Bin stores for the proposed flats will be located on the land opposite the application site (which is also owned by the applicant); shown on the proposed block plan.



4 RELEVANT PLANNING HISTORY

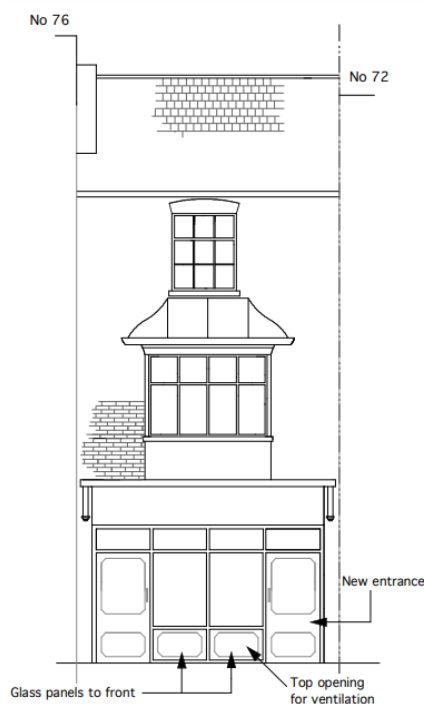
Application 22/00128/FUL

- 4.1 In March 2022 planning permission was granted to convert the existing building into two self-contained flats. As shown on the approved floor plans below, this comprised two, two-bedroom units.



Approved floor plans; application 22/00128/FUL

- 4.2 Flat 1 comprised the ground floor and basement, and Flat 2 the first and second floors.
- 4.3 As part of the application, some alterations to the front elevation of the building were also approved. These comprised a second door on the ground floor front elevation and replacement of the bottom panels in the middle of the shopfront with glass.



Approved front elevation; application 22/00128/FUL

4.4 This permission is extant; expires March 2025.

Application 21/00596

4.5 In June 2021 Prior Approval was granted (under Part 3 Class M of the Town and Country Planning (General Permitted Development) Order 2015) to change the use of ground floor and basement from Class E (shop) to C3 (dwelling), to create a two bedroom flat.

4.6 This permission is extant; expires June 2024.

Application 19/01650/FUL

4.7 In January 2020 planning permission was sought for the construction of a three-storey rear extension, including enlargement of the existing shop on the ground floor, and the creation of two, one-bedroom flats on the first and second floors.

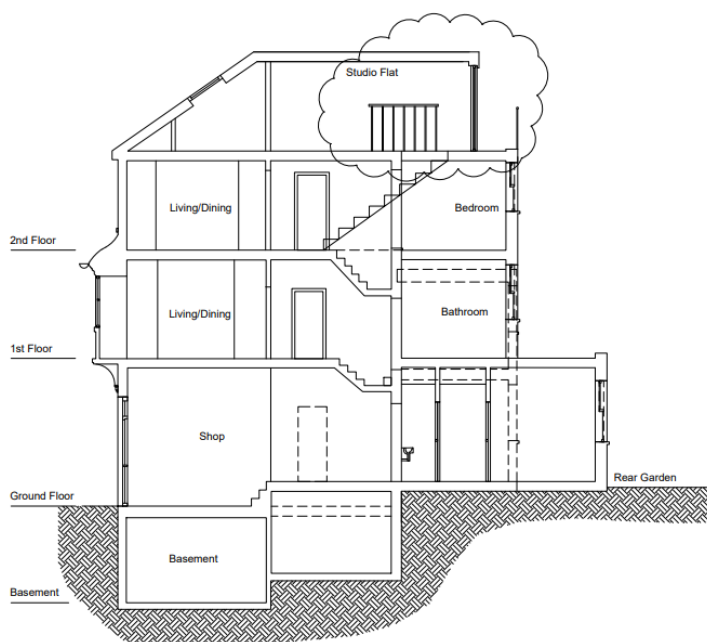
4.8 The application was withdrawn in March 2020.



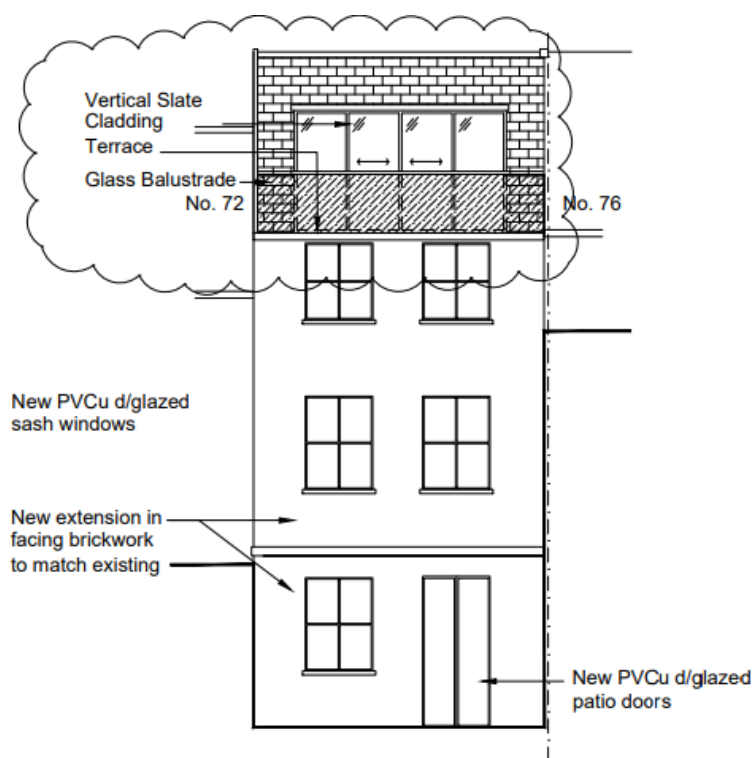
Application 18/00825/FUL

- 4.9 In October 2018 planning permission was refused for the construction of a three-storey rear extension and an additional floor to create a studio flat. The development involved raising the existing roof height and construction of a flat roof extension (at roof level).
- 4.10 While the three-storey rear extension was considered acceptable, the roof extension was refused for the following reason:

'The proposal as shown on plan No's DC01, DC02, DC03, 212-01, 213-05 -B, 212- SK04C, 212-SK04E, 212-SK04E by virtue of its increased scale, massing and design represents an over-intensive and incongruous form of development that does not respond positively to the existing building context to the detriment of the character, appearance of the surrounding area. The proposal therefore fails to comply with Policies LLP1, LLP15 and LLP25 of the Luton Local Plan 2011 -2031 and paragraphs 127 and 130 of National Planning Policy Framework (NPPF) 2018 in so far that it fails to respond or improve the character and quality of the local area.'



Refused section plan; application 18/00825/FUL

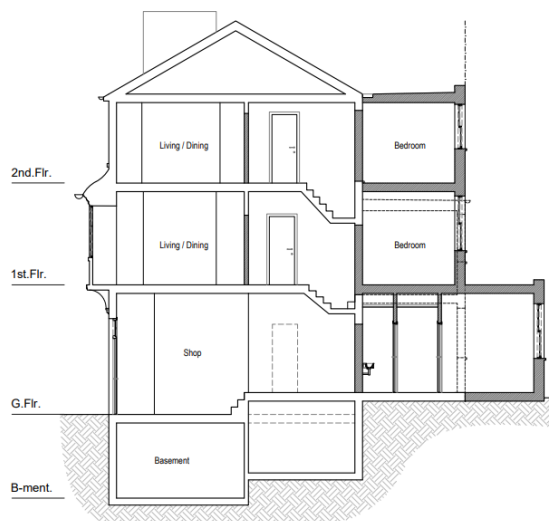


Refused rear elevation; application 18/00825/FUL

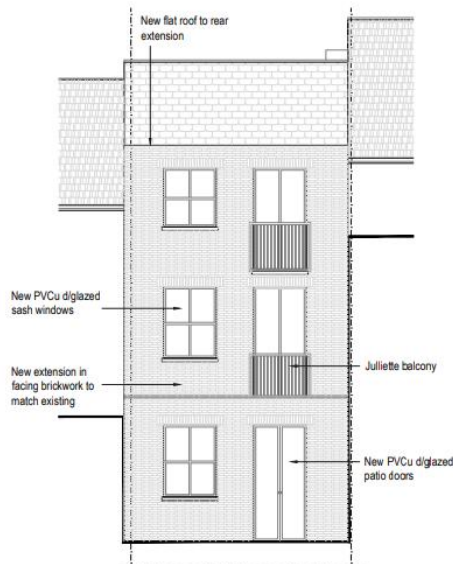
4.11 As shown above, the scale of this roof extension was significantly greater than that proposed in the current application.

Application 16/01542/FUL

4.12 In December 2016 planning permission was granted for a three-storey rear extension, external alterations, and conversion of the first and second floors of the building into two, one-bedroom flats.



Approved section plan; application 16/01542/FUL



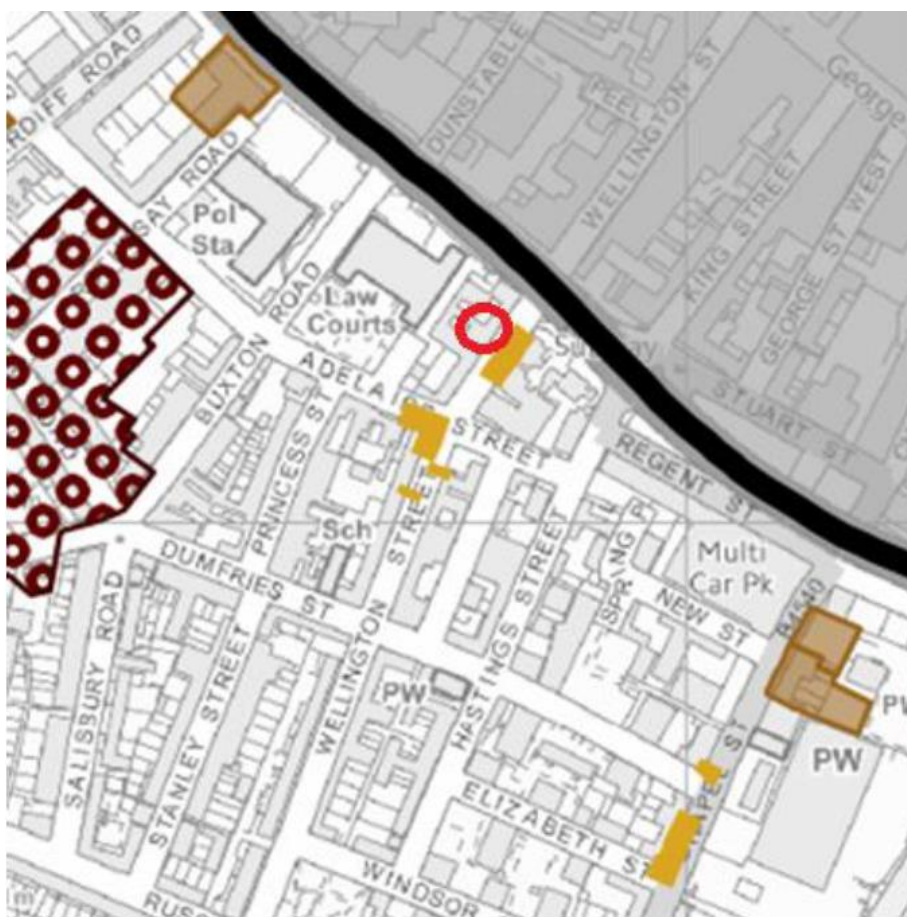
Approved rear elevation; application 16/01542/FUL

4.13 As shown above, the three-storey rear extension had a flat roof and spanned the full width of the building. It was therefore similar to the proposed three storey rear extension in the current application.



5 PLANNING POLICY FRAMEWORK

- 5.1 The starting point for assessing development proposals is always the Development Plan. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states “if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”. The Development Plan for this proposal consists of the Luton Local Plan (2017).
- 5.2 An extract of the Local Plan Policies Map is provided below, with the site circled in red for ease of identification.



Extract from Local Plan Policies Map

- 5.3 The grey shading and black line to the north of the site is the ‘Town Centre’ boundary. The application site falls outside of this designation.



- 5.4 The buildings shaded yellow, opposite the application site, are a designated 'Shopping Parade Frontage'. The application site does not form part of this designation.
- 5.5 The policies considered relevant to this proposal are:

LOCAL PLAN (2017)

- Policy LLP1 Presumption in Favour of Sustainable Development
- Policy LLP2 Spatial Development Strategy
- Policy LLP15 Housing Provision
- Policy LLP21 Centre Hierarchy
- Policy LLP23 District and Neighbourhood Areas and Shopping Parades
- Policy LLP25 High Quality Design
- Policy LLP31 Sustainable Transport Strategy
- Policy LLP32 Parking
- Policy LLP37 Climate Change, Carbon and Waste Reduction and Sustainable Energy
- Policy LLP38 Pollution and Contamination

OTHER MATERIAL CONSIDERATIONS

- National Planning Policy Framework (NPPF)
- Designing for Community Safety – Supplementary Planning Guidance (SPG)
- Designing for Sustainability – Supplementary Planning Guidance (SPG)



6 PLANNING ASSESSMENT

PRINCIPLE

- 6.1 Local Policy LLP15 (B) states that planning permission for residential development will be granted on sites not allocated for housing, provided it would not lead to a loss of other uses for which there is a recognised local need.
- 6.2 The application site comprises a vacant retail shop with associated living accommodation on the first and second floors (also vacant).
- 6.3 In view of the above, it is necessary to assess whether the loss of the existing shop will have a detrimental impact on the needs of the local community.

Loss of the existing retail use is acceptable

- 6.4 Local Policy LLP21 establishes a shopping hierarchy for Luton Borough. At the top is Luton Town Centre, followed by the District Centres, and Neighbourhood Centres.
- 6.5 As shown on the Council's Policies Map above (paragraph 5.2), the site is located outside of the main town centre, is not in a District or Neighbourhood Centre, and is not in a 'Shopping Parade'. Consequently, it does not form part of a designated retail area.
- 6.6 Local Policy LLP23 states the loss of retail facilities will be permitted where:
- i. there are equivalent alternative shopping facilities within a convenient walking distance of the catchment area of the existing shop; or*
 - ii. the existing use is demonstrably no longer viable.*
- 6.7 Given the very close proximity of the site to the town centre (200 metres to the north), a wide variety of 'equivalent alternative shopping facilities' is available within convenient walking distance.
- 6.8 The proposal therefore complies with Local Policy LLP23 (i).



- 6.9 Notwithstanding the above, planning permission was granted in March 2022 (application 22/00128/FUL) for the conversion of the existing ground floor shop and basement into a self-contained flat.
- 6.10 As such, the principle of converting the existing shop to residential use has already been established.

Sustainable location for new housing

- 6.11 The site is very sustainably located close to Luton Town Centre, which provides a wide range of amenities, and public transport options, including buses and the mainline railway station, which is a 12-minute walk away.
- 6.12 The NPPF promotes the recycling of urban land like the application site. Concentrating development on brownfield sites helps make the best use of existing services such as transport and waste management. Furthermore, it encourages more sustainable lifestyles by providing an opportunity to recycle land and assist environmental, social, and economic regeneration. Additionally, it reduces pressure to build on Greenfield land.
- 6.13 The proposed scheme would fully accord with these aims by rejuvenating the existing building, providing a high-quality residential development for which there is a clear and identified need locally.
- 6.14 As such, the site represents an ideal location for a residential development.

Housing need

- 6.15 The NPPF places great weight on the need to provide sufficient housing. Paragraph 60 confirms the need to significantly boost the supply of homes.
- 6.16 Policy LLP1 of the Local Plan states that growth in homes is welcomed in sustainable areas. Policy LLP2 sets out the housing requirements for Luton Borough and confirms that in November 2017 Luton had an unmet housing need of 9,300 net additional dwellings. As a result, there is an urgent need for additional housing within Luton which the redevelopment of the application site will help to address.



6.17 Paragraph 70 of the NPPF supports the development of small and medium sized sites, stating *'they can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly'*. To promote the development of a good mix of sites the NPPF states that local planning authorities should:

a) identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved

c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes

6.18 The application site is less than one hectare in size and therefore represents a small to medium windfall site, the development of which would fully accord with criterion (a) and (c) above.

6.19 In addition, there is a chapter in the NPPF specifically concerning *'The Effective Use of Land'* (Chapter 11). Paragraph 123 states planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. Likewise, paragraph 124 states planning policies and decisions should:

d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and buildings on or above service yards, car parks, lock-ups and railway infrastructure)

e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed



(including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.

- 6.20 The criterion above refers specifically to under-utilised land and buildings, the conversion of space above shops, and airspace above existing residential and commercial premises, all of which apply to the application site, and confirms that where land for new housing is constrained, the development of these areas should be supported by the planning system.
- 6.21 Given the emphasis within the NPPF of addressing housing needs, and having regard to the local housing position, the proposed flats should be given substantial weight in the planning balance as they will contribute to the delivery of sustainable development.

Housing mix

- 6.22 The NPPF requires new development to deliver sustainable, inclusive, and mixed communities in accessible locations. This requirement is reflected in Policy LLP15 of the Local Plan, which encourages higher densities in the main centres and that new development delivers a mix of different housing sizes and types.
- 6.23 We understand there has historically been an over supply of one-bedroom units within Luton, and there is a need for family sized units.
- 6.24 The proposed development will help to address this by providing two, two-bedroom flats and one, one bedroom flat. The two-bedroom units will provide housing opportunities for a wide spectrum of the community, including single professionals and couples, young families, and those wishing to downsize.
- 6.25 It is acknowledged that the proposal will not provide any three bedroom or larger sized units. However, the proposed mix has been carefully considered in response to the site characteristics and the need to optimise the development potential of this sustainable brownfield site adjacent to the town centre. No concerns were expressed with the housing mix in the previous application for two, two-bedroom flats



(application 22/00128/FUL). The proposed development provides the same number of two bedroom flats, plus a one bedroom unit.

Density of development

- 6.26 Local Policy LLP15 states that higher density developments will be encouraged within Luton Town Centre, the District, and Neighbourhood Centres.
- 6.27 As set out above, the site is located close to the town centre, and therefore is an ideal location for the development of flats.

Summary

- 6.28 In summary, the redevelopment of the site for housing is acceptable in principle and fully accords with the provisions of both local and national policy.

CHARACTER AND DESIGN

- 6.29 The NPPF states the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. The NPPF seeks to achieve a high quality of design and that new development is sympathetic to local character, while not preventing appropriate innovation or change.
- 6.30 Policy LLP25 of the Local Plan seeks to achieve high quality design. It notes that developments should enhance the character of the area by responding positively to the townscape, street scene, site and building context, form, scale, height, pattern and materials, distinctiveness, and natural features.

Context of development on Wellington Street

- 6.31 Wellington Street and the surrounding roads consist of various building types, sizes, and styles. The application property forms part of a terrace of three storey buildings, which vary in character and appearance. Three of the properties, including 74 Wellington Street, have first floor projecting bay windows, and all have pitched roofs. The roof heights vary, but gradually step down to the corner of Wellington Street and

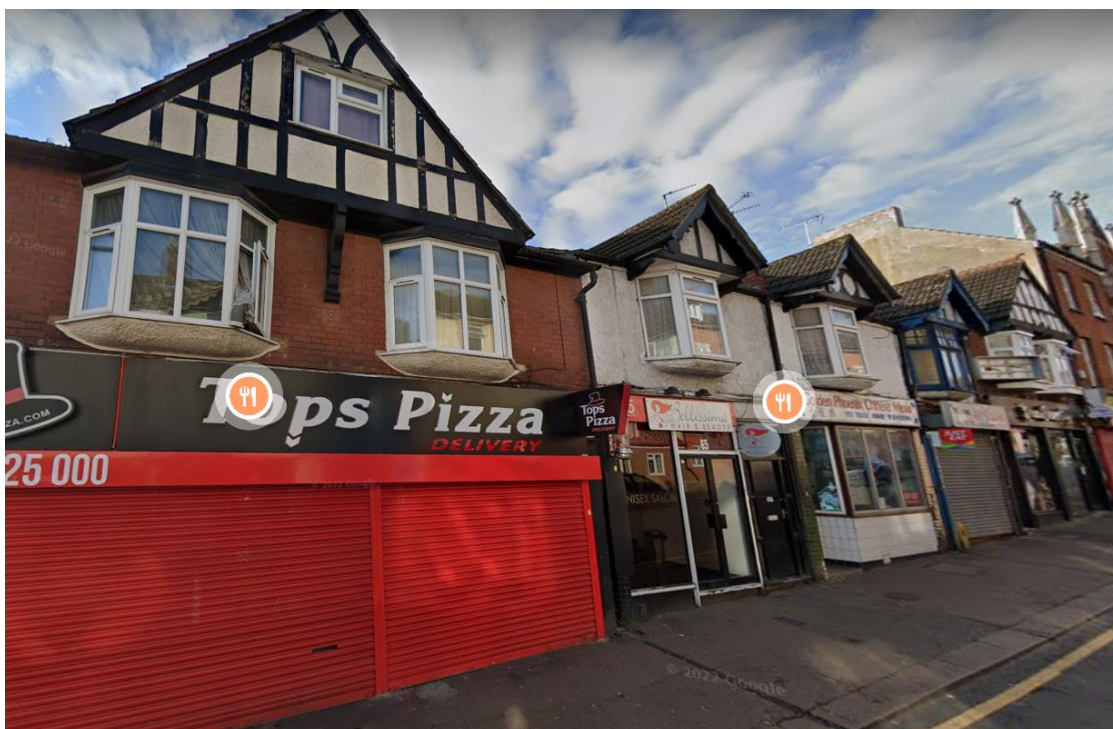


Stuart Street. The shopfronts at ground level are diverse and the building materials differ comprising brick and render.



Terraced properties on the west side of Wellington Street

- 6.32 On the opposite side of the road the properties are predominantly two storey and have a different character and appearance.



Two storey properties opposite the site (east side of Wellington Street)

- 6.33 To the south of the site is a large block of flats (corner of Wellington Street and Adelaide Street). This building is four storeys in height, and features gables and dormers at roof level. It is significantly larger, in height and scale, than the adjacent terrace of three storey buildings.



Four storey flats on the west side of Wellington Street

- 6.34 There is also a former church (The Spires), now in commercial use as offices, on the eastern side of the road.



The Spires, Wellington Street

6.35 The surrounding area is therefore diverse in character, providing a flexible environment for further appropriate changes and innovations.

6.36 The application premises is currently vacant and rundown. The proposed development will enhance the character and appearance of the existing building, by putting it to new use, improving the street scene and surrounding area.

Increase in roof height

6.37 The proposed increase in roof height is modest (0.9 metres approximately) and will align with the ridge height at the adjoining terraced property, 76 Wellington Street. As shown in the photographs below, varying roof and ridge heights are a feature of the properties in the area, and so the proposed increase in height will not appear prominent or out of keeping.



View of the existing ridge lines on Wellington Street



Varying roof heights on Stuart Street, opposite the application site



Varying roof heights on Stuart Place, behind the application site



Varying roof heights on Adelaide Street, close to the application site



Varying roof heights elsewhere on Wellington Street

6.38 As the increase in height will align with the adjoining property 76 Wellington Street, the proposal will not upset the staggered rhythm of the roofs on the western side of



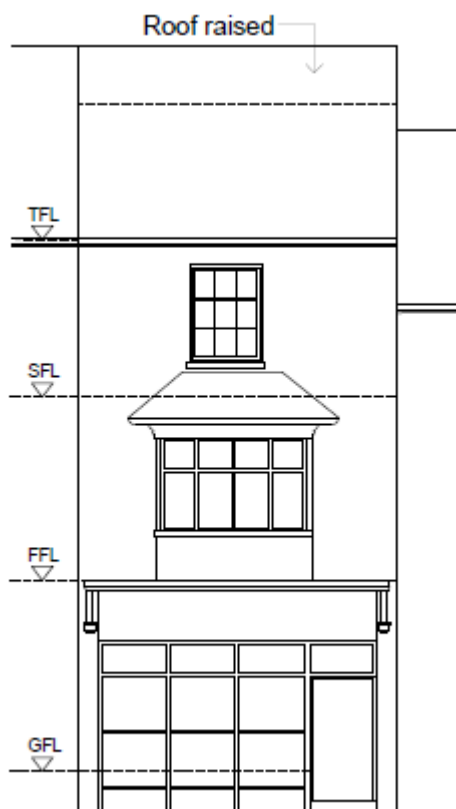
Wellington Street, which gradually step down to the corner of Stuart Street.
The eaves height will be unchanged.

- 6.39 As shown in the photograph below, similar development has already taken place on this part of Wellington Street, where an increase in roof height is clearly visible at 75 Wellington Street. This has not had an adverse impact on the street.



Increase in ridge height at 75 Wellington Street

- 6.40 Compared to the height of the main building, below eaves level, the increase in roof height will be proportionate in scale.



Proposed front elevation

6.41 In view of the above, the proposed increase in ridge height is acceptable on design grounds.

Rear dormer window

6.42 The proposed dormer window will be set down from the ridge and in from the sides. Consequently, it will form a subservient addition to the property.

6.43 Due to its location on the rear elevation, it will not be visible from Wellington Street and so will not impact on this street scene. Similarly, due to the layout of surrounding buildings, it will not be visible from Stuart Place to the rear.

6.44 The proposed dormer will only be visible from outside the site in long distance views from Stuart Street. Consequently, it will have a very limited visual impact. Furthermore, as shown in the photographs below, there is an existing dormer window,



of similar size and design, at the rear of 78 Wellington Street, providing context for the addition.



The proposed dormer will only be visible from long range views on Stuart Street

- 6.45 It will be finished in hanging tiles to match the colour of the main roof, therefore blending in with the existing roofscape.
- 6.46 It is also very different to the proposed roof extension which was refused at the site in 2018 (application 18/00825/FUL). The proposed dormer window is smaller and set down from the ridgeline. Furthermore, it does not include a balcony or full height rear facing opening.
- 6.47 The dormer window is therefore acceptable and will form a modest and proportionate addition to the building.



Three storey rear extension

- 6.48 The proposed three storey rear extension is similar to that previously approved in 2016 (application 16/01542/FUL). It will have a flat roof, like the existing two storey rear projection, and will be constructed of matching brick. It will not be visible from outside the application site.
- 6.49 The proposed depth is proportionate to the main building.

Alterations to the front elevation

- 6.50 The proposed alterations to the front elevation of the property are modest and similar to those approved under application 22/00128/FUL.

Summary

- 6.51 The proposed development is therefore acceptable on design grounds. The changes will enhance the character and appearance of the existing building which is currently vacant and rundown. The proposal therefore complies with Local Policy LLP25 and the relevant provisions of the NPPF.

AMENITY

- 6.52 The NPPF requires high quality design and a good standard of amenity for all existing and future occupiers. This key principle is reflected in the provisions of Policy LLP25 of the Local Plan, with particular reference to delivering new housing in accordance with external amenity space standards and minimising noise, overlooking and overshadowing.

Standard of Environment for Future Occupiers

- 6.53 The development would achieve a high standard of environment for future occupiers.
- 6.54 Each flat will have an open plan living room and kitchen, and all will comply with national internal space standards.



Flat	Flat type	National Requirement (m ²)	Size of flat (m ²)	Complies
1	2 bed, 4 person	79	80.7	✓
2	1 bed, 2 person	50	51.7	✓
3	2 bed, 3 person	70	70.7	✓

- 6.55 All habitable rooms will have a clear glazed fully opening window, providing natural light, outlook, and ventilation and all three flats will be dual aspect.
- 6.56 The ground floor flat will have a courtyard garden to the rear, providing private amenity space for this unit. The rear bedroom openings will face into this courtyard providing natural light and outlook for occupiers.
- 6.57 The first and second floor flats will not have any outdoor amenity space. However, this is not unusual in an urban location such as this. Many of the surrounding flats on Wellington Street have no outdoor amenity space (for example those on the first and second floors at 72 and 76 Wellington Street).
- 6.58 The rear facing windows in the first and second floor flats will overlook the property to the rear which is lower in height (two storeys). Consequently, they will have good levels of natural light and outlook.
- 6.59 The bins for the flats will be stored across the road on a piece of land which is also owned by the applicant (shown on the site location and block plans).
- 6.60 The proposal will therefore provide a high standard of amenity for future occupiers in accordance with Local Policy LLP25.



Neighbour Amenity

- 6.61 The proposal will preserve the amenity of surrounding properties in accordance with Local Policy LLP25.

72 Wellington Street

- 6.62 This property comprises a takeaway on the ground floor and two flats on the first and second floors. The property has a two storey rear extension which is deeper at ground level than the proposed rear extension. There are no first floor windows in the rear elevation of the two storey extension.



Rear extension at 72 Wellington Street

- 6.63 As such, the amenity of this property will not be affected by the proposal.

76 Wellington Street

- 6.64 This property comprises a restaurant on the ground floor and two flats on the first and second floors. This property has a two storey rear extension which projects the full depth of the plot.



Rear extension at 76 Wellington Street

6.65 Consequently, the amenity of this property will not be affected.

76 Stuart Place

6.66 This property is located to the rear of the site and is in commercial use (Tristar Television). The proposed rear facing windows will be located closer to this property, however, as it is in commercial, the amenity of the occupiers will not be adversely affected.

Surrounding commercial uses

6.67 Permission has already been granted to use the property as two flats (application ref. 22/00128/FUL), and this is extant. It has previously been established that the residential development of the site would not affect the surrounding commercial uses (noise and odours).

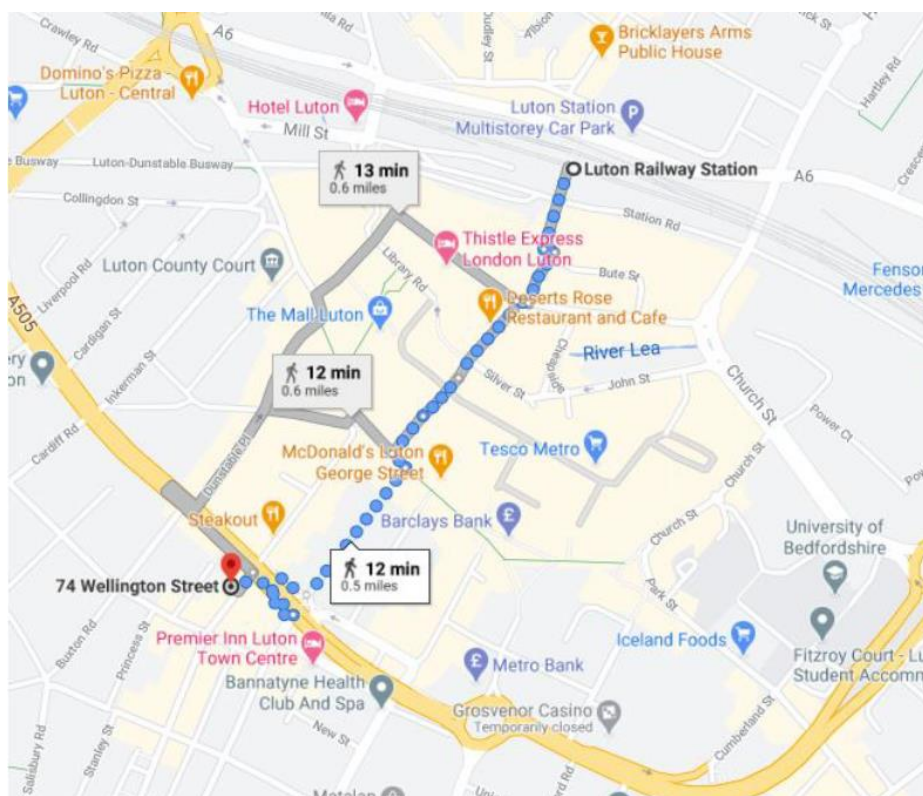
Summary

6.68 The proposed development will therefore have an acceptable relationship with surrounding properties in accordance with Local Policy LLP25.



ACCESS AND PARKING

- 6.69 The NPPF sets out the Government's approach to promoting sustainable transport and encourages solutions which reduce congestion and facilitate the use of sustainable modes of transport. The NPPF clarifies that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.70 The site does not have any off-street parking and there is no vehicle access.
- 6.71 The application site is very sustainably located close to Luton Town Centre which provides a range of amenities, and public transport options, including buses and the mainline railway station which is a 12-minute walk away.



Luton railway station is a 12-minute walk from the site

- 6.72 The proposed residential conversion would arguably attract less comings and goings than the existing retail shop and associated residential floor space; meaning parking



demand will be reduced. Given the highly sustainable location of the site, off-street parking is not considered necessary for the proposed flats.

- 6.73 It is noted that permission has already been granted for the development of two, two bedrooms flats at the site (ref. 22/00128/FUL) with no parking. The Officer's Report for this application concluded that given the sustainable location of the site no parking was necessary.

'The site has no off street parking provision and whilst the proposal does generate a requirement for parking, in this case given the close proximity of the site to the town centre within walking distance it would be difficult to sustain a reason for refusal based on parking. The Local Highway Authority have also raised no objection subject to an informative advising future residents of development that parking permits would not be available.'

- 6.74 The proposed development only includes an increase of one, one bedroom flat, on top of that already approved.
- 6.75 There would be space inside the units for cycle storage. The ground floor flat could also use the rear garden.
- 6.76 The proposal therefore complies with Policies LLP31 and LLP32 of the Local Plan.



7 CONCLUSION

- 7.1 In conclusion, the redevelopment of the site for housing is acceptable in principle and fully accords with the provisions of both local and national planning policy. The loss of the existing retail use would comply with local policy, given the proximity of the site to alternative shopping facilities in the main Town Centre. Furthermore, the change of use has already been established under application 22/00128/FUL.
- 7.2 The NPPF places great weight on the need to provide sufficient housing. The proposed scheme would make efficient use of the existing site in a very sustainable and established residential location, providing much needed local housing.
- 7.3 The extensions and changes to the building will enhance the external appearance of the building and improve the character and appearance of the area.
- 7.4 The development will not harm the amenity of surrounding occupiers and a good standard of environment will be achieved for future residents.
- 7.5 The proposed development will not result in conditions prejudicial to highway safety and given the sustainable location of the site, the provision of off-street parking is not considered necessary.
- 7.6 The proposal therefore constitutes a sustainable form of development, in accordance with the Local Plan and the NPPF.