



Appeal Decision

Site visit made on 8 June 2021 by Thomas Courtney BA(Hons) MA

Decision by Martin Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 August 2021

Appeal Ref: APP/B0230/D/21/3267061

13 Manton Drive, Luton, LU2 7DH

- 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 Mrs Parmar against the decision of Luton Borough Council.
 - The application Ref 20/00929/FULHH, dated 29 July 2020, was refused by notice dated 10 November 2020.
 - The development proposed is a double storey side and part double part single rear wrap around extension and basement extension and box dormer roof conversion.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (NPPF). Accordingly, and in light of the reference made to the previous iteration of the NPPF within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. Any comments which have been received have been addressed within the appeal decision.

Main Issues

4. The main issues are:
 - the effect of the development on the character and appearance of the host dwelling and surrounding area; and
 - the effect of the development on the living conditions of the neighbouring occupiers of 11 & 15 Manton Drive, with particular regard to a loss of light, outlook and privacy.

Reasons for the Recommendation

Character & Appearance

5. The appeal site accommodates a two-storey semi-detached dwelling located in an established residential area characterised for the most part by semi-
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detached two-storey properties. The host dwelling features a hipped roof, a single storey side extension and garage attached to the southern side flank of the dwelling, which abuts the common boundary with the neighbouring property at 11 Manton Drive. The property also has a decked patio to the rear and a large garden which slopes away from the house and lies at a lower level than the ground floor.

6. A previous application for the erection of a two-storey side/rear extension, single storey rear extension, raised decking, basement and outbuilding in the rear garden was approved in 2015 (ref 15/00507/FUL). The proposal is broadly similar but includes a loft conversion and rear dormer, a larger single storey rear extension and a basement extension.
7. The proposal would result in the erection of an unconventional rear dormer that would extend across the full width of the roof and which would be adjoined to the two-storey wrap around rear extension. The rear dormer would appear as an obtrusive and bulky addition to the roof and in light of its considerable width would represent an incongruous addition to the dwelling.
8. I note there are two-storey wrap-around extensions in the vicinity of the appeal site and that the proposed materials would be broadly sympathetic to the existing. However, whilst I have had regard to the form of the previously approved scheme, the double-storey side to rear extension combined with the large dormer would be unduly excessive and would not appear as subordinate or proportionate additions to the dwelling. The development would fail to accord or harmonise adequately with the scale of the host dwelling.
9. The Council contend that the development would harm the street scene, but I do not find that the development would unreasonably affect or detract from the character of Manton Drive. As highlighted by the appellant, a number of properties in the surrounding area feature similar wrap-around extensions visible from the street including the adjacent property at No.15. I therefore find that the development would not be incongruous in this context and would assimilate with the building as a whole when viewed from the road.
10. Notwithstanding this, the rear aspect of the dwelling and the resultant extensions would be clearly visible from the back gardens of the surrounding properties on the western side of Manton Drive. The resultant dwelling would be bulkier and more imposing than was previously approved in 2015 in light of the increased height of the double-storey rear extension and its co-joined roof dormer. The combined extensions would negatively impact the architectural integrity of the host dwelling and would thus erode the character and appearance of the area.
11. Given the above, I therefore find the proposal would result in bulky and insubordinate additions. It would unacceptably harm the character and appearance of the host dwelling and surrounding area. I therefore consider that the proposed development would conflict with Policies LLP1, LLP19 and LLP25 of the Luton Local Plan and the National Planning Policy Framework (NPPF) which together seek to ensure extensions are designed to the highest standard, respect local context, and are proportionate to the principal dwelling.

Living Conditions

12. The proposed double-storey side-to-rear extension would have a considerably greater height and mass in contrast with the approved 2015 scheme and would abut the common boundary with the neighbouring property at 11 Manton Drive. The bulk and massing of the proposal would appear particularly obtrusive and overly dominant from the neighbouring occupants' rear conservatories, decked patios, and gardens.
13. The development would significantly and unacceptably alter the neighbouring occupiers' outlook and, due to the orientation of the buildings, it would reduce the amount of light received by the occupants of No.15. Indeed, due to the positioning of the double-storey extension and dormer to the south of No.15, the level of light received within the rear decked patio would be severely impacted. I do not find, however, that the proposal would reduce the amount of light received by the occupants of No.11.
14. Furthermore, there are no clear glazed windows within the side elevations of the proposed double-storey extension which may allow for intrusive views towards the neighbouring properties. I therefore find that the development would not lead to an adverse loss of privacy for the adjoining occupants.
15. Given the above, the development would adversely impact the living conditions of the occupiers of 11 Manton Drive with regards to a loss of outlook and would adversely impact the living conditions of the occupiers of 15 Manton Drive with regards to a loss of outlook and light. It would therefore conflict with Policies LLP1, LLP19 and LLP25 of the Luton Local Plan and the NPPF which together seek to ensure developments are well-designed and do not adversely affect the amenities of adjoining occupiers.

Other matters

16. Whilst I acknowledge the proposed use of 'greener' materials and energy efficient glazing as well as the fact that the proposal would benefit the living conditions of the existing occupiers by providing more internal space and using the space efficiently, these factors would not outweigh the harm I have identified.
17. I have had regard to the examples of developments on Manton Drive provided by the appellant. The photos show a variety of mostly double-storey side extensions that I do not find to be comparable to the bulk and mass of the proposed scheme. Whilst they do illustrate that many extensions and conversions have taken place on Manton Drive, they do not lend weight in support of the proposal which would adversely impact the outlook to the rear of the neighbouring property at No.11 and the outlook and light received to the rear of No.15.

Recommendation

18. The development would have an adverse impact on the character and appearance of the host dwelling and surrounding area and would negatively affect the living conditions of the neighbouring occupiers at 11 Manton Drive with regards to a loss of outlook and 15 Manton Drive with regards to a loss of light and outlook. The proposal would conflict with the development plan taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan.

19. Therefore, for the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Martin Seaton

INSPECTOR