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## Appeal Decision

Site visit made on 21 March 2022

**by Gary Deane BSc (Hons) DipTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 1<sup>st</sup> April 2022**

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**Appeal Ref: APP/B0230/D/22/3292212**

**18 Malzeard Road, Luton LU3 1BD**

- 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 Jackie Roberts of The South Beds Methodist Circuit against the decision of Luton Borough Council.
  - The application Ref 21/01479/FULHH, dated 20 October 2021, was refused by notice dated 11 January 2022.
  - The development proposed is a garage conversion to a home office with a Wc as per submitted drawings.
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### Decision

1. The appeal is dismissed.

### Procedural matters

2. While the appellant has described the proposal as in the above heading, the Council has referred to the conversion of an outbuilding as well as the garage to a home office and WC and to the introduction of a mono-pitched roof. From my inspection of the plans, the Council's description more fully reflects the development sought. I have assessed the proposal on that basis.
3. The Council raises concern that a lack of 'formal information' means that it is unable to properly assess the proposal or its impact on the character of the existing dwelling and the local area. That opinion appears to be based on the potential for the home office to accommodate several people and the possibility that it could attract visitors with few details provided of, for instance, the number of related movements to and from the site. That the Council would seek further details is understandable given that the site is in a mainly residential area and its effects could depend on the intensity of the new use.
4. However, the description of development given on the application form refers solely to a home office and WC, as do the submitted plans. The appellant has confirmed in writing that the converted building would be used mainly by the Minister while residing at the property with infrequent visits from members of the congregation. On balance, these matters generally point towards the ancillary use of the home office to the main house. I have, therefore, assessed the proposal and the type and level of activities associated with it on that basis.

### Main issue

5. The main issue is the effect of the proposed development on the character and appearance of the local area.

## Reasons

6. The proposal is to alter and convert the detached single storey garage and an outbuilding to one side of the appeal dwelling to form a home office with a small bathroom. The converted building would face Malzeard Road between pairs of 2-storey semi-detached dwellings that are fairly regularly arranged and are broadly similar in age and general style.
7. When seen from the road, the proposal would have a rudimentary form with an awkward, uncertain appearance and a function that would not be visually obvious. Specifically, with the proposed front window and entrance door in place, which are typical domestic features, the converted building would have a freestanding presence that would be perceived as independent of the main house, unlike that of a typical outbuilding such as a garage. To my mind, the new mono-pitched roof would set the converted building clearly apart from the other flat roof outbuildings at the side of the main dwellings along the same side of Malzeard Road. The new roof line would also neither broadly align with nor successfully relate to the angle of the roof slope to the main dwelling.
8. In combination, these aspects of the proposal would unduly disrupt the established subservient relationship of the outbuilding to the main dwelling and upset the established pattern of existing development along the same side of Malzeard Road. Consequently, the proposal would draw the eye as a discordant element in the street scene and as an uncharacteristic feature in the local area. Attaching conditions that require amended details of the proposal, such as fenestration or roof form, would not resolve these concerns.
9. I note that the proposed external materials would match those of the existing building. I also acknowledge that the current appearance of the garage, with its flat roof and blank front façade, contributes little positively to the visual character of the area. However, the overall visual effect of the proposal would appear contrived, unconvincing and incongruous for the reasons given.
10. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the local area. As such, it conflicts with Policies LLP1, LLP19 and LLP25 of the Local Luton Local Plan 2011-2031. These policies seek to ensure that development responds and enhances local character and achieves a high standard of design. It is also contrary to the policies of the National Planning Policy Framework (the Framrwork), which state that new development should be sympathetic to local character and add to the overall quality of the area.
11. Once complete, the proposal would provide valuable space for a Church Circuit Member to work and for private consultations to take place away from the main house. However, these considerations do not outweigh the significant harm that I have identified.

## Conclusion

12. For the reasons set out above, I conclude that the appeal should be dismissed.

*Gary Deane*

INSPECTOR