



Appeal Decision

Site visit made on 21 June 2024

by Eleni Randle BSc (hons) MSc FRICS FAAV MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th July 2024

Appeal Ref: APP/B0230/D/24/3342946

487A Dallow Road, Luton, LU1 1UL

- 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 Nadeem Sheikh against Luton Borough Council.
 - The application Ref is 24/00171/HHFT.
 - The development proposed is erection front porch & canopy and roof alteration, flat pitch to roof, to outbuilding (fast track).
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the impact of the proposal upon the character of the original and surrounding residential dwellings.

Reasons

3. As can be seen, from the development description above, there are several elements to the appeal proposal including the erection of a front porch and canopy to the dwelling house as well as alterations from a flat roof to a pitched roof of an outbuilding. It is clear, from the Council's report and the refusal reasons stated, that the refusal reason is specific in its concern being related to the proposed alteration from a flat roof to a pitched roof of the outbuilding. For the avoidance of doubt, therefore, this appeal will focus upon the proposed alterations to the outbuilding in the context of the refusal reason stated.
4. The appeal site is a two storey, end of terrace, dwelling house located in a corner plot at the junction of Dallow Road and Warren Road. It benefits from an existing outbuilding which, on the existing outbuilding plan and elevations, is labelled as being an office, shower and gym room. The proposal seeks to alter the approved flat roof (approved under Lawful Development) 23/0228/LAWP as noted within the Council's Delegated report. The existing building is an irregular, trapezium, shaped flat roofed structure which is not insignificant in size given an overall footprint in the region of 33 square metres. The proposed pitched roof would have a maximum height of 3.6 metres which would be in excess of a metre taller than the existing building.
5. At the time of my site visit I found that the existing outbuilding is already a notable feature within the street scene of Warren Road where it is highly visible due to having been constructed immediately adjacent to, and having windows facing out onto, the pavement. The proposal, to add a pitched roof, would by virtue of the overall, scale, bulk and massing (which would be combined with

irregular design due to the shape of the building) result in an overlarge and bulky addition. I find that this would visually dominate views of the rear elevation of the host dwelling and would not present as a subordinate or ancillary addition to the appeal site. The proposal would fail to respect the scale and proportions of the original dwelling would be out of keeping with the prevailing character of the area where, at the time of my site visit, I did not find any evidence of such large domestic outbuildings being characteristic of the area.

6. Whilst I acknowledge, from my site visit, that Warren Road does exhibit an assortment of built forms, architectural details and characteristics I have no evidence before me to suggest that such large outbuildings, with pitched roofs, are a characteristic of the area and, for reasons I have set out above, I already find the host building to be visually prominent within the street scene of Warren Road which would only be worsened as a result of an irregular shaped pitched roof to the existing built form. I do not find that the pitched roof, with an overall height in excess of a metre taller than the existing building, would have an inconsequential presence within the street scene nor that the proposal would appear physically and visually subordinate.
7. I do not find that the replacement of a flat roof profile with a pitched roof profile would result in a positive, enhancing contribution to the local townscape. The impact of the existing building, with a pitched roof, would not be aesthetically reasonable and effective modest development to bring about an enhancement to the local townscape. The proposed roof alteration from flat to pitched roof would, by reason of size, scale, design, siting and visual impact would present as an overly large and incongruous addition to the existing building which I find would be out of character, fail to enhance or improve the quality of the established character of the area and would visually dominate the host dwelling and street scene in the immediate vicinity of Warren Road.
8. Overall, I find that the proposal would have a detrimental impact upon the visual appearance of the immediate street scene, and wider character of the area, and would result in detrimental visual impact as a result of an entirely incongruous addition to the plot given that the building, as already built, is already a prominent visual feature which fails to enhance or improve the quality of the established character of the area. Whilst I evidently understand that the building, as built, was certified as permitted development and is beyond the control of the Council, I find that further alterations, which would increase the bulk, scale and massing, are detrimental and sufficient to warrant refusal as a further addition to the plot resulting in negative impact to the integrity of the original and surrounding residential dwellings.
9. The proposal would be contrary to Local Luton Plan 2017 (LP) Policy LLP1 which allows planning permission to be granted where applications accord with Local Plan Policies when taken as a whole which, in this case, I do not find is the case for the proposal before me. The proposal would also be contrary to LP Policy LLP19 which requires the mass, scale layout, and design of proposals to be proportionate to the principal dwelling, surrounding properties, streetscape and character of the area as well as ensuring the extension is of ancillary scale to the original/principle building and LP Policy LLP 25 which requires proposals to enhance the distinctiveness of the character of the area by responding positively to the townscape, street scene, site and building context as well as other matters including form, scale, and height. The proposal would also be

contrary to paragraph 135(b) of the National Planning Policy Framework 2023 which requires that developments are visually attractive as a result of good architecture, and layout and paragraph 135(c) which seeks to ensure developments are sympathetic to local character including surrounding built environment.

Conclusion

10. For the reasons outlined above, and taking account all other matters raised, I conclude that the appeal should be dismissed.

Eleni Randle

INSPECTOR