

Appeal Decision

Site visit made on 6 March 2017

by Martin Andrews MA(Planning) BSc(Econ) DipTP & DipTP(Dist) MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 March 2017

Appeal Ref: APP/P1133/D/17/3166918

33 Fern Road, Newton Abbot, Devon TQ12 4NR

- 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 Mr Simon Woodman against the decision of Teignbridge District Council.
 - The application, Ref. 16/02452/FUL, dated 7 September 2017, was refused by notice dated 17 November 2016.
 - The development proposed is to erect a shed in the front garden; to erect a boundary fence up to 1.8 metres.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The shed has already been erected and therefore the application is for retrospective permission.
3. The application form also refers to a 1.8m boundary fence but I note that the officer's report refers to this part of the proposal having been withdrawn. The appeal form and Notice of Refusal also refers to a revised description that excludes any reference to a boundary fence. I have therefore determined the appeal solely in respect of the visual impact of the shed, as stated in the main issue below.

Main Issue

4. The main issue is the effect of the shed on the character and appearance of the street scene.

Reasons

5. The shed has been positioned in the corner of the front garden and is described in the officer's report as being 2.2m from the boundary with No. 31 Fern Road to the south west and 1.8m from the front boundary to the south east. Despite some planting in the gaps to these boundaries and being positioned at a level lower than the bottom of the boundary wall, the shed is well in front of the house and can be clearly seen from the adjoining sections of Fern Road and Birch Road.
 6. As a structure normally associated with rear gardens, the shed draws the eye as an incongruous feature within the front curtilage of the dwelling and in front of
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the building line on this side of the road. In my view, as a result of this siting the shed is perceived negatively as being wholly out of keeping with the street scene. I note that this is an opinion shared by nearby residents who have objected to the application.

7. The appellant argues that he intends to carry out further planting including boundary trees and a hedgerow to obscure visibility of the shed. However, whilst landscaping can help to assimilate development into its environment it should not be used to screen a proposal that is in principle unacceptable. I consider that a garden shed in the front garden falls into this category on this essentially open frontage housing development with its low front boundary walls. Furthermore, there is no guarantee that the appellant or a future occupier of the dwelling would retain effective screening of the shed.
8. I have also noted the appellant's view that other more discreet sitings of the shed in the garden are neither possible nor practicable, but given the good-sized garden I am not convinced on this point. In terms of the reference to other developments in the front gardens of the area, these do not make the shed any more visually acceptable. In any event, if they cause offence and require permission some or all of them may well be open to enforcement action by the Council.
9. Overall, I consider that the shed has an unacceptably harmful effect on the character and appearance of the Fern Road street scene. This is in conflict with Policy S2(a) of the Teignbridge Local Plan 2013-2033 adopted in 2014 and Section 7: 'Requiring Good Design' and the core planning principles of the National Planning Policy Framework 2012.
10. The appeal is therefore dismissed.

Martin Andrews

INSPECTOR