
Appeal Decision

Site visit made on 17 October 2017

by J D Westbrook BSc(hons) MSc MRTPI

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

Decision date: 26 October 2017

Appeal Ref: APP/P1045/D/17/3180335

87 Park Avenue, Ashbourne, DE6 1GB

- 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 Carl Spencer against the decision of Derbyshire Dales District Council.
 - The application Ref 17/00400/FUL, dated 31 January 2017, was refused by notice dated 28 June 2017.
 - The development proposed is the erection of a shed.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effects of the proposed shed on:
 - The character and appearance of the area around Park Avenue and Beresford Avenue, and
 - The living conditions of the occupiers of nearby dwellings by way of outlook.

Reasons

3. No 87 is an end-terraced, two-storey house situated on the northern side of Park Avenue at its junction with Beresford Avenue. Beresford Avenue slopes down significantly from its junction with Park Avenue, such that the houses to the rear of No 87 lie at a somewhat lower level. No 87, in common with the other houses in the vicinity, has a long rear garden. The garden slopes down in two terraces beyond which, at the rear of the plot, there is a group of interconnected sheds used for storage. The sheds are constructed from a variety of materials and appear to be a mix of older and newer buildings.
4. The proposed development would involve the demolition of the existing group of sheds and the construction of a single shed on a larger footprint. From the submitted plans, it would appear that the shed would be some 6.4 metres wide and 10.2 metres long, with a height to eaves of 3.3 metres and an overall height to roof ridge of some 5.25 metres. It would be built up to the boundaries of the neighbouring houses to the north and east, and effectively up to the rear of the pavement on the western boundary with Beresford Avenue.

Character and appearance

5. The appellant contends that the building is necessary to enable secure garaging of second world war vehicles, the collection of which is his hobby. There is already one vehicle in the existing sheds, which have an overall height of some 2.5 metres. I have some sympathy with the desires of the appellant, but the proposed building would be almost twice the height of the existing sheds, and its overall scale would result in a structure somewhat industrial in nature that would be significantly out of character with the spacious residential character of the surrounding area, where outbuildings are generally low in height.
6. The appellant notes that the building would replace the eclectic mix of buildings that currently exist at the property with one of more consistent design. That may well be, but the replacement would be much higher and of an unsympathetic overall scale, which would not reflect the general scale of sheds and garages in the immediate vicinity. The appellant also notes the existence of a large structure to the side and rear of properties on Beresford Avenue and Brookside. I acknowledge that this structure is large, though its situation to the side of an existing terrace of houses, and at the rear of what appears to be a very extensive rear garden, means that it is not as prominent as would be the proposed shed at No 87. Furthermore, I have no information as to its use or history. In any case, I have considered the proposal on its own merits.
7. In conclusion on this issue, I find that the proposed shed, by virtue of its unsympathetic scale, would be significantly harmful to the tone of the surrounding street scene, and to the low density residential character and appearance of the area around Park Avenue and Beresford Avenue. It would, on this basis, conflict with Policy SF5 of the Council's Local Plan (LP) which requires that the scale, massing, and height of development should preserve or enhance the local distinctiveness of its surroundings.

Living conditions

8. By virtue of the topography of the area, the houses at Nos 14 and 16 Beresford Avenue to the rear of the appeal property are at a lower level. As a consequence of this, the proposed shed would be at a significantly higher level and, since it would be nearly twice the height of the existing sheds, this would accentuate its visual prominence. The rear gardens of Nos 14 and 16 are long, and this would ameliorate the visual impact to a certain degree. Nevertheless, the scale of the proposed shed would still result in it presenting a somewhat oppressive outlook from the windows and garden areas of Nos 14 and 16. Whilst this may not of itself be reason to dismiss the appeal, it nevertheless adds to my concerns regarding the detrimental impact resulting from the unsympathetic scale of the proposed shed, as outlined above.
9. In conclusion on this issue, I find that the proposed shed would not relate well to surrounding properties, and that it would be harmful to the living conditions of the occupiers of the dwellings immediately to the rear of the appeal property by way of a detrimental effect on outlook. On this basis, it would conflict with Policy SF5 of the LP.

J D Westbrook

INSPECTOR