



Appeal Decision

Site visit made on 24 September 2019 by L Wilson BA (Hons) MA

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 October 2019

Appeal Ref: APP/F1040/D/19/3231920

33 Manor Road, Stanton, Swadlincote, DE15 9SW

- 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 Paul Maxim against the decision of South Derbyshire District Council.
 - The application Ref 9/2019/0270, dated 12 March 2019, was refused by notice dated 6 June 2019.
 - The development proposed is described on the application form as follows: "A new workshop on front side lawn over 2 meters from the boundary. 6x11 meter wooden shed, no window, double doors leading to drive, single door to rear side, with electricity and standing on concrete base. The roof has onduline roof with clear ones every other one for light".
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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.

Main Issue

3. The effect of the proposed workshop on the character and appearance of the street scene.

Reasons for the Recommendation

4. The appeal site comprises a semi-detached property located within a residential area. The properties are set back from the highway and separated by driveways. Both Manor Close and Manor Road display a strong character and simple rhythm.
5. The existing boundary treatment would partially screen the workshop. However, as it would be sited to the front of the building line and on a corner plot it would be visible from the highway. The proposed development would harm the appearance of the street scene as the workshop would appear as a dominant and incongruous feature, due to its scale and siting in a prominent location. Painting the workshop and planting flowers would not sufficiently address the visual harm caused by the development.

6. The appellant has provided photographs of outbuildings, cars and caravans located elsewhere. These photographs are not directly comparable as the scale and siting of these examples differ to the proposed development. These other examples do not justify visually harmful development. Similarly, although most of the garden is to the front of the dwelling and there has been a lack of objections. However these are not considerations that outweigh the significant adverse visual harm to the character of the area.
7. The appellant argues he needs the workshop due to various personal circumstances including health. The Planning Practice Guidance sets out that there may be exceptional occasions where development that would not normally be permitted may be justified on planning grounds because of who would benefit from the permission¹. Personal circumstances rarely outweigh general planning considerations as the occupants of a dwelling can change whereas the development would be permanent. The appellant is concerned about the time and money spent in applying for planning permission, but this reason cannot justify visually unacceptable development.
8. For the reasons above, I find that the proposed development would cause significant adverse visual harm to the character and appearance of the street scene. Consequently, the proposal would conflict with Policy H27 of the South Derbyshire Local Plan Part 2 (2017), Policy BNE1 of the South Derbyshire Local Plan Part 1 (2016), South Derbyshire Design Guide Design Supplementary Planning Document (2017) and the National Planning Policy Framework.

Conclusion and Recommendation

9. For the reasons given above I recommend that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree and conclude that the appeal should be dismissed.

A U Ghafoor

INSPECTOR

¹ Paragraph: 015 Reference ID: 21a-015-20140306