



Appeal Decision

Site visit made on 24 September 2019

by M Chalk BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 October 2019

Appeal Ref: APP/P1940/D/19/3232826

77 Wolsey Road, Moor Park HA6 2ER

- 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 R Soni against the decision of Three Rivers District Council.
 - The application Ref 19/0271/RSP, dated 8 February 2019, was refused by notice dated 18 April 2019.
 - The development proposed is retention of wooden storage shed.
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Decision

1. The appeal is allowed, and planning permission granted for the wooden storage shed at 77 Wolsey Road, Moor Park, HA6 2ER in accordance with the terms of the application ref: 19/0271/RSP dated 8 February 2019, subject to the following condition:
 1. The development hereby permitted shall be carried out in accordance with the following approved plans: TRDC001 (Location Plan), RS/TRDC/FLOORPLAN/2019/ 01, RS/TRDC/ELEVATIONS/2019/ 0 2 and RS/TRDC/BLOCK PLAN/2019/ 03

Preliminary Matter

2. The description of development used in the formal decision has been taken from the planning application, although I have removed the word 'retention' because it is not an act of development. At the time of my visit the shed was substantially complete and I have therefore determined this appeal on the basis of my observations on site together with the policies and evidence before me.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the site and the Moor Park Conservation Area.

Reasons

4. The appeal site is within the Moor Park Conservation Area (CA). I am therefore required to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area, in accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
5. The Moor Park Conservation Area Appraisal November 2006 (the Appraisal) identifies the character of the area as including open frontages separating gardens from the estate road verges, with houses set back in spacious

- surroundings. The Appraisal provides supplementary planning guidance in considering proposals within the CA. It recommends that a minimum of 20% of the site frontage must be kept clear of all development along the entire flank elevations, with at least 1.5 metres between flank walls and plot boundaries. This is to maintain the spacious open character of the estate and avoid overdevelopment of plots.
6. The property is a detached two-storey house located on a residential street characterised by detached houses of varying styles. I observed neighbouring properties along Wolsey Road from the public realm for some distance in both directions and found considerable variety in the spacing between flank walls and site boundaries. Many properties are built up to at least one boundary with garages or extensions, or less substantial additions such as fences, walls, or gates.
 7. Within the area, notwithstanding the guidance in the Appraisal, I found it more common than not for properties to be close to one or both side boundaries, particularly at ground floor level, and some houses were only separated by hedgerows. Generally I observed that spacing between flank walls and site boundaries was found above ground floor level.
 8. Within the context of this established pattern of development, the shed that is the subject of this appeal is a modest addition to the host property. It is set back from the rearmost part of the staggered front elevation and by virtue of its relatively low height and narrow profile is not a prominent feature of the site. The use of decorative wooden panels and planting to the front elevation softens its appearance and makes it less prominent in the street scene. Furthermore, the roof of the shed is lower than the roof of the adjacent side projection to the neighbouring property at 75 Wolsey Road, in spite of the appeal site being at a higher elevation.
 9. The Council has stated that the shed contributes to the overdevelopment of the site, as it further increases its built area above the 15% site coverage recommended in the Appraisal. However, the shed is a modest addition to the existing building and does not in itself significantly alter the scale of development of the overall appeal site.
 10. In this instance I therefore find that the shed has a neutral effect on the significance of the CA, as such it would preserve the CA. As I have not found harm I do not need to assess the suggested public benefits offered by the appellant.
 11. The wooden storage shed would not therefore result in unacceptable harm to the character and appearance of the site and the Moor Park Conservation Area. It would not conflict with policies CP1 and CP12 of the Three Rivers District Council Core Strategy (adopted October 2011) and DM1 and DM3 of the Development Management Policies Local Development Document (adopted July 2013) and guidance in the Appraisal. When taken together these require that new development in a Conservation Area be of a design and scale that preserves or enhances its character or appearance.

Condition

12. The shed was substantially complete at the time of my visit. The rear elevation, facing towards the back garden, had not been enclosed and therefore a condition requiring that the development be completed in accordance with the approved plans is necessary.

Conclusion

13. For the reasons given above I conclude that the appeal should be allowed.

M Chalk

INSPECTOR