
Appeal Decision

Site visit made on 19 January 2020

by Louise Nurser BA (Hons) Dip UP MRTPI

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

Decision date: 04 February 2020

Appeal Ref: APP/C2741/D/19/3236293
156 Water Lane, York YO30 6PL

- 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 Dan Taylor against the decision of City of York Council.
 - The application Ref 19/00691/FUL, dated 3 April 2019, was refused by notice dated 26 June 2019.
 - The development proposed is erection of a plastic shed in fenced front garden, with a portion of it ahead of principle elevation; w185.8 cm, d236.8 cm, h 227.0 cm will be placed on a platform of flags adding a further 20 cms to the height.
-

Decision

1. The appeal is dismissed.

Preliminary matters

2. At the time of my site visit the appeal proposal had been constructed.

Main issue

3. The main issue is the effect of the development on the character and appearance of the street scene.

Reasons

4. The predominant characteristic of the wider area is of established residential streets with traditional brick built housing. For the most part, the houses have front gardens and drives bound by low hedges. This is especially the case along Burdyke Avenue, which forms one side of the corner where the semi detached host property sits at a 45-degree angle, in a prominent position at its junction with Water Lane.
5. These low hedged front gardens give an attractive, uniform, open aspect. The plastic timber effect shed, sits close to, and is visible above the high timber fencing which bounds the front garden of the property. As such, in contrast to the prevailing uniform character of the wider area, the plastic timber shed, albeit it has been designed to look like wood, due to its position, introduces an uncharacteristic and discordant element in the street scene and is highly visible when approaching from either Water Lane, or Burdyke Avenue.
6. I have carefully considered the impact of the deciduous trees in the front gardens of the neighbouring properties. Even making allowances for the fact that my site visit took place in the winter months, I did not find that they

soften or screen the shed. The shed does not benefit from any of the exceptions set out in the Supplementary Planning Document House Extensions and Alterations (SPD) (December 2012), as the house is a standard semi detached property on a corner plot. Consequently, I conclude that the shed adversely effects the character and appearance of the street scene. Therefore, it is contrary to the policies of the Framework, identified within paragraphs 127 and 130, that developments should be sympathetic to local character and that permission should be refused for development of poor design. In addition, the development is not consistent with policies D1 and D11 of the City of York Publication Draft Local Plan 2018, policies GP1 and H7 of the 2005 City of York Draft Local Plan and advice contained within the SPD. As these policies, have not been formally adopted, I have treated them as material considerations of limited weight in reaching my decision.

Other matters

7. I took the opportunity to visit no 1 Rowntree Avenue where I was able to see a small timber shed which was screened by a tall privet hedge. However, I have not been provided with any details of the shed on Rowntree Avenue, including whether it has planning permission, and in any case, I must consider each individual proposal on its own merits.
8. I am aware that the appellant has offered to screen the shed through planting or the construction of a tall fence, the length of the boundary. However, as this fencing would in turn be likely to require planning permission, I accord this little weight.
9. In common with many families, the appellant's family enjoys the privacy of their rear garden. This is in contrast to the front garden, which is considerably less private, as is generally the case. It has been put to me that there are no other realistic options for siting the shed, including in the rear garden, which I took the opportunity to view as part of my site visit, and that the shed causes less adverse impact than a trampoline which had previously been placed at the front of the garden. I have also been referred to the positive impact of the siting of the shed as an act of confidence in an area which is subject to vandalism and anti-social behaviour. In addition, I have been made aware that the shed is used to store materials/ tools which are used for community activities and that there are no objections from any neighbours.
10. I note the appellant considers that the parking of large vehicles on the drive are unsightly. However, the parking of vehicles is commonplace at the front of properties.
11. The appellant has suggested that he could position the shed elsewhere without planning permission with potential adverse impacts. Whether or not planning permission is required to place the shed elsewhere within the front garden is not a matter for me to determine.
12. I have carefully considered these matters raised, as well as the lack of objections from neighbours. However, they do not overcome or outweigh the concerns raised above.

Conclusion

13. For the reasons set out above I conclude that the appeal should be dismissed.

L. Nurser

INSPECTOR