



Appeal Decision

Site visit made on 26 May 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 June 2020

Appeal Ref: APP/H4505/D/20/3251664

24 Cherrytree Gardens, Low Fell, Gateshead NE9 6TY

- 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 Garreth Murrell against the decision of Gateshead Council.
 - The application Ref DC/20/00039/HHA, dated 16 January 2020, was refused by notice dated 17 March 2020.
 - The development proposed is retrospective planning application for a temporary motorcycle shed in the front garden of 24 Cherrytree Gardens, Low Fell, NE9 6TY.
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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 proposal has already been constructed. Therefore, the main issue is the effect of the motorcycle shed in the front garden on the character and appearance of the host dwelling and surrounding street scene.

Reasons for the Recommendation

4. No.24 is a two-storey semi-detached dwelling located at Cherrytree Gardens in the Low Fell area of Gateshead. The surrounding area is residential, and the character of the street is derived mostly from two-storey semi-detached dwellings with front amenity green spaces and parking to the side. These create an appearance of a neat and unified street scene. There are a few examples on the street where this space is landscaped using other material, or both the drive and green area have been covered by concrete paving. Nevertheless, in accordance with guidance within Gateshead Council's Local Development Framework Supplementary Planning Document: Household Alterations and Extensions¹ the street is devoid of any outbuildings or structures in the front gardens. The green area provided by the front gardens is still an important and distinctive feature which provides significant enhancement to the quality of the street.

¹ See page 37

5. On my visit to the site I observed that the motorcycle shed takes up a substantial portion of the front garden which results in the loss of a visually pleasant green area and a somewhat cramped pattern of development detrimental to the appearance of the street scene. It results in the host dwelling being presented as having less open amenity space compared to other dwellings. Additionally, the dark corrugated metal exterior and roller shutter door give the structure a harsh industrial appearance which increases its prominence and sets it at odds with the pleasant setting of frontages on the street.
6. The appellant argues that a privet hedge could be introduced to soften the visual impact of the development in views from the street, however planting would take time to establish. Also, a condition requiring its removal after five years would not mitigate any immediate visual harm. Reference is also made to the potential to clad the structure in an alternative material, but no details are given and I am not satisfied that such a measure would adequately soften the impact given the size and prominence of the structure.
7. The appellant contends that there are other properties where hard surfacing has been employed at the entire frontage to provide additional parking space which has been acknowledged in paragraph 4 above. It is unclear if these were undertaken with planning permission, but ground covering is not directly comparable with a more visually prominent corrugated metal shed. Nevertheless, green and pleasant frontages continue to define the quality of the street, and the development remains significantly at odds with the prevailing character, notwithstanding the hardstanding referred to elsewhere.
8. Taking all the above points together, I find that the size, location and construction material of the motorcycle shed in the front garden of 24 Cherrytree Gardens harms the character and appearance of the host dwelling and surrounding street scene and those impacts could not be successfully mitigated through the imposition of conditions. Accordingly, there is conflict with the aims and objectives of paragraph 127 of the National Planning Policy Framework (the NPPF) with regard to design; and policies CS15 of the Core Strategy and Urban Core Plan for Gateshead and Newcastle upon Tyne 2010-2030 (2015) and ENV3 of the Unitary Development Plan which seek amongst other things to ensure that new development responds positively to local distinctiveness and character having regard to such factors as scale, massing, height, materials, density, legibility, views and vistas.

Other Matters

9. The appellant contends that the development is required to provide safe storage to protect the appellant's motorcycle from theft or vandalism which will enable him to utilise the transport for work and leisure purposes. Whilst I recognise his concerns in that regard the development was erected without planning permission and there is nothing to show that alternative, less harmful, options were considered that would enable the motorcycle to be safely stored in a manner that is not visually harmful. In addition, whilst a record of theft has been provided it is not clear if that was an isolated incident or whether there are high instances of crime in the area in general. Having regard to those issues, I am not satisfied that the issue of security is a matter of sufficient weight to overcome the significant harm to character and appearance and non-compliance with design related policies.

10. I have also had regard to the suggestion that a temporary permission could be granted but am not convinced of the rationale for that suggestion. As noted above, it would not mitigate the harm in the short to medium term and there is no indication that the need for motorcycle parking would be temporary. Consequently, whilst the period of harm would be limited, so would the period of any benefit to the appellant and the overall balance of my conclusion is the same; the private benefit of added security would not outweigh the harm caused.
11. Paragraph 124 of the NPPF identifies that good design is a fundamental element of sustainable development and paragraph 130 states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides plans or supplementary planning documents. Due to the inadequacies in the design of the proposal the development does not represent a sustainable form of development and the other considerations advanced do not outweigh the harm that has been caused.

Conclusion and Recommendation

12. For all those reasons, having had regard to evidence before me, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

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

Chris Preston

INSPECTOR