

Appeal Decision

Site visit made on 16 October 2020

by Les Greenwood MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 December 2020

Appeal Ref: APP/N5090/D/20/3249430

87 Salisbury Road, Barnet EN5 4JL

- 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 Professor Shoufeng Yang against the decision of the Council of the London Borough of Barnet.
 - The application Ref 19/5625/HSE, dated 12 October 2019, was refused by notice dated 27 December 2019.
 - The development proposed is to build a pvc garden shed in the garden.
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Decision

1. The appeal is allowed and planning permission is granted for a pvc garden shed in the garden in accordance with the terms of the application Ref 19/5625/HSE, dated 12 October 2019, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, Block/Site Plan and 'Building Planning Permission for a shed in garden' (Rev. 1.1, 01/11/2019) Figure 2 Block Plan, Figure 5 Front and Back View, Figure 6 Left Side and Right Side View and Figure 7 The Internal Plan (Option B).
 - 2) The existing window on the back (south-western) wall of the shed hereby permitted shall be obscure glazed or otherwise blocked up within 2 months of the date of this permission and shall thereafter be retained in that condition. Any future glazing installed in that wall shall be obscure glazed.

Procedural matter

2. The appeal application was retrospective in that the garden shed is already in place. I have left the phrase '*to build*' out of the formal decision above, to avoid confusion.

Main issues

3. The main issue is the effect of the existing shed on the character and appearance of the local area.

Reasons

4. No 87 is a terraced house set in a residential area of similar terraced housing. A pitched roof, white and grey pvc shed has been erected at the end of the house's relatively long, narrow garden.
5. The Council states that inaccurate information has been provided regarding the height of the shed and its relationship to the neighbouring boundaries. As it is an existing structure, this is easily checked. The shed sits on a low concrete base that is just above ground level at one corner but rises up to around 0.2m above ground level at another corner. This base is just high enough to level the shed without cutting into the mild slope of the garden. The shed itself is shown on the plans as being 3.028m high. Including the base, it measures on site as about 3.2m high (measured from ground level in the middle of the front elevation). The height is therefore much as would be expected from the plans.
6. The shed measures just over 4.0m wide at the front, which again is consistent with the measurement shown on the plans. There are approximately half metre gaps to either side of the shed and at the back. This is a bit less than the gaps indicated on the plans, which are shown as being up to about $\frac{3}{4}$ of a metre. This minor discrepancy is not due to the shed being inaccurately depicted, but is rather due to the garden being slightly narrower at this point than is shown on the Ordnance Survey plan. I am satisfied that the submitted plans show the existing development with reasonable accuracy.
7. The Council's Supplementary Planning Document *Residential Design Guidance* (SPD) advises that detached buildings in gardens can have a significant impact on local character and amenity. Due to the shed's low height and position within a block of housing, it is not readily visible from the public realm. It can be seen from neighbouring properties and from a shared alleyway at the back, but is not a prominent or dominant feature in these views. The pvc material is not brightly coloured or otherwise offensive. This is a modest, functional building such as would be expected in a back garden. Although it takes up most of the garden's width, it is set well away from the houses on Salisbury Road so that it does not crowd No 87's garden or neighbours' gardens.
8. I conclude that the shed does not harm the character or the appearance of the local area. It therefore accords with the shared aims of Barnet's Local Plan Core Strategy Development Plan Document Policies CS NPPF, CS1 and CS5, Barnet's Local Plan Development Management Policies Development Plan Document Policy DM01 and the SPD, to secure high quality design based on an understanding of local characteristics and respect for local distinctiveness.
9. A neighbour raises concerns about loss of outlook and privacy. The building is separated from that neighbouring garden by the alley and is not particularly tall or bulky. I find no significant impact on outlook. The issue of privacy can be dealt with by condition.
10. As the development has been carried out acceptably, it is not necessary to impose a condition requiring a start within 3 years. I impose a condition specifying the relevant plans to provide certainty. In regard to privacy, the Council suggests a condition to restrict the installation of new windows and doors at the back. The important point here is that any glazing should be obscure glazed or otherwise blocked. I therefore impose a condition to this

effect, rather than removing permitted development rights for new openings. As the appellant has already blocked views through the existing window above fence height, I see no prejudice arising from this slightly different requirement.

11. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should succeed.

Les Greenwood

INSPECTOR