The Planning Inspectorate

Appeal Decision

Site visit made on 6 January 2022

by Lewis Condé BSc (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: Tuesday 25 January 2022

Appeal Ref: APP/W1850/D/21/3279516
9 Lloyd Street, Hereford HR1 2HB

- 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 David Evans against the decision of Herefordshire Council.
- The application Ref 210026, dated 6 January 2021, was refused by notice dated 10 May 2021.
- The development proposed is described as 'Installation of a timber shed pre manufactured for storage'.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application form and appellant's submission documents note that the development is already in place, while the local planning authority treated the application as a retrospective proposal. On my site visit I also noted that there is a shed in the approximate location indicated on the site plan. Accordingly, I have determined the appeal on the basis of development that has already occurred.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the area.

Reasons

4. Lloyd Street is a residential cul-de-sac. Properties are well set back from the street and front boundaries to the dwellings comprise a mixture of low walls, hedging and open driveways. Together these features combine to give the street a somewhat open character. The appeal site itself has a rather generous front garden that mainly consists of an open driveway but is also partly enclosed by a hedgerow.

5. The timber shed has been erected in the front garden of the appeal property and sits well forward of the building line for properties on this side of Lloyd Street. Despite being sited behind the hedgerow to the front of the appeal property, and partly below a mature tree on site, the shed remains highly visible in the street scene. This is due to its overall scale and the predominantly open nature of the front garden. On my site visit the shed was clearly discernible even from the entrance to Lloyd Street, approximately 50m away.

6. The shed's appearance is at odds with the prevailing character of the street. Furthermore, given its scale and prominence, the development forms a large, obtrusive, and incongruous feature in the street scene in an area where there are no similar structures visible.

7. I therefore find that the development harms the character and appearance of the area. Consequently, it conflicts with Policy SD1 and LD1 of the Herefordshire Local Plan Core Strategy 2011-2031, which together seek to ensure that new development respects the local context while making a positive contribution to the character of the area.

Other Matters

8. My attention has been drawn by the appellant to the fact that the development has not attracted any objections from local representatives and that is has drawn praise from a member of the public. With regards to the positive feedback received, there is no evidence before me to corroborate this. In any event, the absence of objections or receipt of positive feedback does not justify the approval of unacceptable development.

9. I also note that the appellant suggests that the development is not harmful, in part, because 'the structure is of a non permeant construction'. However, from my site visit and the submitted documents, the shed has the appearance of a permeant structure due to its scale and seemingly robust construction. In any case, the appellant has applied for planning permission for the development and has not sought a temporary permission. I have therefore determined the appeal on this basis and have given little weight to the notion that the proposal is of a non-permanent construction.

10. I note the appellant raises concerns over the time taken for the Council to register the planning application. I have dealt with the appeal on its own merits.

Conclusion

11. For the reasons given above, having considered the development plan, and all other relevant considerations, I conclude that the appeal should be dismissed.

Lewis Condé

INSPECTOR