

Appeal Decision

Site visit made on 23 May 2022

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13TH June 2022

Appeal Ref: APP/N1160/W/19/3235941

14 Middle Down Close Plymouth PL9 9TX

- 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 Steven Short against the decision of Plymouth City Council.
 - The application Ref 19/00024/FUL, dated 25 March 2019, was refused by notice dated 6 June 2019.
 - The development proposed is the erection of two garden sheds.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. Sheds have been completed on the site; that does not alter the way in which I assess the merits of this case and base my judgement on the latest plans which were lodged with the Council along with the application referenced above.

Main Issues

3. The main issues are the effect of the proposal on a) living conditions of neighbours, b) the character and appearance of the locality, and c) parking provision.

Reasons

4. The appeal property is a very modest rear garden facing single aspect ground floor bedsit dwelling in a cul-de-sac and sits to the rear within a block of three other bedsits. To the east of the site is a resident's car parking area and to the north is an attached block of four bedsits. The garden for the bedsit now embodies an open area and a large shed structure which may or may not be associated with its (tenanted) occupation. The shed area would be around 50% of the garden space and the structure height is appreciably above the height of the adjacent screen fencing.

Residential amenity

5. I shall touch on visual amenity in the sub section below. My concern under this heading is the impact upon residents of the relevant bedsit. I am in no doubt that proximity to glazing, height, length, and orientation would lead to undue impact on residential amenity in terms of daylight and outlook and there would be a prevailing sense of being hemmed-in by an over-bearing structure. It is
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simply not a reasonable proposition in living condition terms to have this 'wall of development' as the focus on one's outlook.

6. I conclude that the scheme would represent poor design of an unneighbourly fashion. It would thus run contrary to Policies DEV1 DEV2, and DEV20 of the Plymouth and South West Devon Joint Local Plan 2014-2034 (2019) (LP) which, taken together and amongst other matters, seek to secure good quality living conditions via appropriately designed development.

Character and appearance

7. The locality is an established residential estate of unremarkable buildings which nevertheless come together, along with their gardens, to form a neighbourhood of established residential character and pleasing appearance. Even with their dark finish the over-sized shed structures would be visually jarring in that context and clearly out of place in terms of local character, streetscene, and expected outlook from nearby residential properties. Many plots locally are diminutive, including the appeal site, whereas the sheds would be, in awkward contrast, large by any measure. The development would lack integration with its surroundings and represent over-development.
8. I conclude that the scheme would run contrary to LP Policy DEV20 which amongst other matters seeks well designed building of suitable scale and form having regard to their context and surrounding development pattern.

Parking

9. The Council is concerned that the layout and access arrangements to the main shed would be likely to prejudice the safe, easy and convenient access to existing parking spaces. From my perspective I felt that the rear parking courtyard was suitably sized and appropriate laid out to accommodate the door, access arrangements and any coming or going without any great wider inconvenience being caused. My other pertinent observation is that this locality did not appear to one of any great parking stress in any event.
10. I thus conclude that there would be no conflict with development plan policies on this issue.

Other matters

11. I do understand the Appellant's wish to retain sheds and I appreciate the arguments put over their benefits as such as usable space, sound reduction buffering, wind shielding and tenants to date not being interested in gardening. I recognise too that structures were erected with the Appellant not appreciating that planning permission would be required. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to two of the main issues identified above.
12. I confirm that policies in the National Planning Policy Framework have been considered and the development plan policies which I cite mirror relevant objectives within that document.

Overall conclusion

13. For the reasons given above I conclude that whilst the appeal proposal would not unduly impact upon parking provision it would have unacceptable adverse

effects on living conditions for neighbours and the character and appearance of the locality. Accordingly, the appeal is dismissed.

D Cramond

INSPECTOR