



Appeal Decision

Site visit made on 25 July 2022

by J Davis BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11TH August 2022

Appeal Ref: APP/A1910/D/22/3300491

82 Seaton Road, Hemel Hempstead, HP3 9HU

- 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 Peter Szabo against the decision of Dacorum Borough Council.
 - The application Ref 22/00039/FHA, dated 28 December 2021, was refused by notice dated 13 April 2022.
 - The development proposed is temporary full metal shed.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit the shed had been fully constructed. The proposal is therefore retrospective.

Main Issues

3. The main issues are:
 - The effect of the proposal on the character and appearance of the host dwelling and surrounding area; and
 - The effect of the proposal on the living conditions of the occupiers of 84 Seaton Road, with particular reference to the outlook from the rear garden.

Reasons

Character and appearance

4. The appeal site comprises a two storey, end of terrace dwelling, located in a row of similar properties.
5. The appeal relates to a metal garden shed, located in the rear garden of the property. The appellant describes the shed as being temporary, however I have no precise information before me to confirm how long the appellant wishes to retain the structure.
6. The metal shed is positioned flush with the rear boundary of the site and with the side boundary with 84 Seaton Road. It is relatively large, with a maximum

depth of 5.5 metres and a width of 4.5 metres. It is about 4 metres in height to the ridge of the roof.

7. To the rear of the appeal site is Johnson Court, a short cul-de-sac which serves a small courtyard development comprising of 4 no. semi-detached dwellings. It also provides rear access to several of the dwellings in Seaton Road, including the appeal property. The rear garden boundaries that are adjacent to Johnson Court mainly comprise close boarded timber fences of around 1.8 – 2 metres in height. I observed on my site visit that several of the dwellings that back onto Johnson Court have outbuildings within their rear gardens.
8. However, the appeal proposal is far more prominent in the street scene than the other rear garden structures which are visible from Johnson Court. The metal shed towers above the rear garden fence and is at odds with the more domestic scale and appearance of the other structures which are visible from Johnson Court. Its overall size, combined with its height and metal construction results it having a rather industrial appearance, which is incompatible with the residential character and appearance of the host dwelling. Moreover, the shed is sited on rising land and is seen in the same context as the semi-detached houses that are accessed from Johnson Court. In my view, due to its size and incongruous appearance, it significantly detracts from the prevailing residential character and appearance of the area.
9. Thus, I conclude that the proposal has a harmful effect on the character and appearance of the host property and the surrounding area. As such, it conflicts with Policy CS12 of Dacorum Borough Council's Core Strategy 2006-2031 (2013) (CS) which seeks to ensure that development integrates with the streetscape character and respects adjoining properties in terms of layout, scale, height, bulk and materials. It is also contrary to the National Planning Policy Framework (2021) (the Framework) insofar as it states that developments should be sympathetic to local character and add to the overall quality of the area.

Living conditions

10. The shed has been erected directly on the boundary with 84 Seaton Road. No 84 has been extended to the rear and has a shorter garden than some of the other properties in the road.
11. The shed extends for about 5.5 metres along the boundary with No 84. It is sited towards the rear of the garden and as such does not appear to have any significant adverse effect on the living accommodation with No 84. However, in my opinion the shed is visually intrusive and overbearing on the rear garden of No 84, due to the combination of its depth directly along the boundary, and its overall height and inappropriate materials used. As such it would be likely to significantly detract from the occupier's enjoyment of the rear garden.
12. The proposal would therefore have a harmful effect on the living conditions of the occupiers of 84 Seaton Road, with particular reference to outlook from the rear garden. Accordingly, it would conflict with Policy CS12 of the CS which among other matters, states that development should avoid visual intrusion to the surrounding properties and should respect adjoining properties in terms of layout, scale, height, bulk and materials. It is also contrary to paragraph 130(f) of the Framework which seeks a high standard of amenity for existing and future users.

Other matters

13. I appreciate that the appellant confirms that the shed would be for purposes ancillary and incidental to the enjoyment of the appeal property and improves the quality of accommodation for him and his family. I also acknowledge that the appeal property would retain a reasonable amount of external garden space. However, these matters, whilst noted, are not sufficient to outweigh the harm I have identified above.

Conclusion

14. For the above reasons, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

J Davis

INSPECTOR