



Appeal Decision

Site visit made on 6 November 2023

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th November 2023

Appeal Ref: APP/D2320/D/23/3328326

16 Maplewood Close, Chorley PR7 3BZ

- 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 Geoffrey Hurst against the decision of Chorley Borough Council.
 - The application Ref 23/00457/FULHH, dated 30 May 2023, was refused by notice dated 22 August 2023.
 - The development proposed is a galvanised metal shed for motorcycle.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At the time of my site visit the shed had already been erected to the front of the dwelling. I have determined this appeal accordingly.

Main Issues

3. The main issues are the effect of the development on a) the character and appearance of the area, and b) the living conditions of occupiers at 17 Maplewood Close, with particular regard to outlook.

Reasons

Character and appearance

4. The appeal property is a mid-terraced dwelling located within an open-plan residential area. The lack of front boundaries and the consistent design and arrangement of properties gives the locality an open and uniform character.
5. Whilst I appreciate the requirement for the shed to be sited to the front of the property, I observed that it is a conspicuous addition to the street scene as it is not a feature typically found to the front of properties in a residential area. Along with its prominent siting and that of the dwelling at the head of a cul-de-sac, it is also of a considerable scale and mass, such that it adds visual clutter which significantly detracts from the open-plan character of the area. Overall, it is a very incongruous feature in the locality. The painting of the shed would not overcome these concerns.
6. I acknowledge that a large food catering trailer may be stored at a neighbouring property and indeed I observed it at the time of my site visit. Nevertheless, it is not directly comparable to the appeal development as it is a temporary, moveable structure. Similarly, the shed's presence is not commensurate with the visual effect resulting from the parking of a

motorcycle, trailer or other vehicles, which are also temporary, moveable features and common to the front of dwellings.

7. Accordingly, the development harms the character and appearance of the area. It therefore conflicts with Policy BNE1 of the Chorley Local Plan 2012-2026 (July 2015) (the CLP) which aims to ensure that developments do not have a significantly detrimental impact on the surrounding area by virtue of its siting, scale and massing and design, amongst other things.

Living conditions

8. The attached dwelling at No 17 is positioned at a lower level than the appeal property, such that the ridge of the shed is of a similar height to the top of the front window of No 17. Further, the shed is sited within close proximity to the window. The porch of No 17 projects along the other side of the window. Together, these factors significantly restrict the outlook which could be achieved from the window, which appears to serve a habitable room of No 17.
9. The appellant has suggested that a 2m high fence could be erected on the common boundary under permitted development rights. However, I am not convinced this would be the case and there is no conclusive evidence before me to indicate that this would indeed be possible or likely at this location.
10. Therefore, the development harms the living conditions of occupiers of No 17 through a loss of outlook and thus it conflicts with Policy BNE1 of the CLP which also seeks to ensure the development does not cause harm to any neighbouring property.

Other Matters

11. The use of a condition to restrict planning permission to the appellant would not overcome the harm I have identified above and, moreover, the shed may remain in place for a very substantial length of time should the appellant continue to reside at the property for a considerable period.
12. The appellant suggests that the shed has been in situ for many years and thus they could apply for a certificate of lawfulness. However, based on the very limited evidence before me, I am not convinced that such a fallback exists.

Conclusion

13. The development conflicts with the development plan as a whole and there are no other considerations of sufficient weight which indicate a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

H Ellison

INSPECTOR