



Appeal Decision

Site visit made on 29 December 2023

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11TH January 2024

Appeal Ref: APP/E0915/D/23/3326542

1 Berrymoor Road, Brampton, CA8 1DH

- 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 Stuart Dodd against the decision of Carlisle City Council.
 - The application Ref 23/0177, dated 6 March 2023, was refused by notice dated 12 May 2023.
 - The development proposed is the erection of a timber outbuilding.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the outbuilding on the character and appearance of the area around Berrymore Road and Parkhead Road.

Procedural Matter

3. It would appear that the timber outbuilding is an enlargement of an earlier structure that had been in place since December 2012. In March 2013, an enforcement officer apparently visited the property and advised that the shed was compliant with the General Permitted Development Order, 2008. The Council now contends that this advice was incorrect having regard to its position and height. Nevertheless, considering the advice given and the time period the outbuilding was in place, it is acknowledged that the outbuilding as originally built in 2012 was immune from enforcement.

Reasons

4. No 1 is a semi-detached house situated on a corner plot at the junction of Berrymore Road with Parkhead Road. The junction is at the top of a rise that slopes down to the south and north, such that the appeal property is in a prominent position. The outbuilding, as now enlarged, is in place and is a structure sited close to the boundary with the neighbouring No 10 Parkhead Road. It is a little over 6 metres long and 5.9 metres wide, and it projects out from the side of the main dwelling to a point between 3 and 4 metres from the front/side boundary of the property. From the submitted plans, it is between 2.55 and 3 metres high to the eaves, and a little over 4 metres high to the ridge of the roof. It is constructed with timber cladding to the walls and has a boarded and felted roof. Finally, it has large, garage-style doors, also constructed from timber, and is accessed from Parkhead Road.

5. Policy SP6 of the Council's Local Plan (LP) indicates that development proposals should respond to the local context and the form of surrounding buildings in relation to density, height, scale, massing and established street patterns, and by making use of appropriate materials and detailing. Policy HO8 of the LP refers to house extensions and alterations, and indicates that they should be designed to relate to and complement the existing building in scale, design, form and materials. In addition, they should maintain the established character and pattern of the street scene and be a positive addition.
6. The Council contends that the timber outbuilding, by virtue of its scale, design, and location, is visually dominant within the existing street scene and has an incongruous appearance that is at odds with the character and appearance of the surrounding area. In this context, the proposed development results in a discordant feature that causes harm to the visual amenity of the area.
7. The appellant contends that there has been a large wooden outbuilding with double doors in the same location for over a decade. The shed as now existing is in the same location and only slightly larger. The appellant also notes that nearby houses on Parkhead Road have forward projecting garages and that No 9 Berrymore Road has a recently permitted large double garage in a similar position on its plot as that of the outbuilding at No 1. Finally, he contends that the outbuilding blends in well with all other buildings, and that in the event that he was required to demolish it, he would replace it with mobile shipping containers which would be an eyesore and incongruous.
8. The outbuilding is in a very prominent elevated position. It projects forward just a little more than the garage at No 10 Parkhead Road and its height, both real and apparent, is amplified by the fact that the garage at No 10 is set at a lower level. The height and mass of the outbuilding make it a significant feature in the street scene, and the use of timber cladding, emphasised by its scale, makes it appear incongruous in the context of the host building and surrounding dwellings, which are brick-built. I acknowledge that there are garages at properties north of the appeal site on Parkhead Road that project well beyond the main front elevation, but these are brick-built and appear as sympathetic to the design and materials of the main house. Similarly, the double garage at No 9 appears more in keeping with its immediate surroundings, and it is in a much less prominent position.
9. From my site visit and the information before me, it would appear that the principal elevation of the dwelling is the front elevation facing Berrymore Road. The Council acknowledges that this is the 'front elevation'. The document 'Permitted development rights for householders: Technical Guidance' (PDTG) indicates that the "principal elevation" is, in most cases, that part of the house which fronts the main highway serving the house, and will usually contain the main architectural features. The PDTG notes that there will only be one principal elevation on a house and that, where there are two elevations which may have the character of a principal elevation, for example on a corner plot, a view will need to be taken as to which of these forms the principal elevation. In this case, I am of the opinion that the outbuilding is sited at the side of the house which is not the principal elevation.
10. However, it would appear that the height of the outbuilding does not comply with the requirements of the General Permitted Development Order 2015, Schedule 2, Part 1, Class E, Paragraph E.1e. The appellant indicates that

industrial containers could replace the outbuilding, effectively as a fall-back position, and that these would have a less desirable visual impact on the area. However, given the required range and scale of uses of the outbuilding, as outlined by the appellant, it would seem highly unlikely that such a structure would be suitable for such required usage, and I consider that this does not, therefore, represent a reasonable fall-back situation in this case.

11. In the light of the above, I find that the outbuilding, by virtue of its scale and appearance as constructed, is a prominent and incongruous structure in the context of the surrounding area along Berrymore Road and Parkhead Road. In addition, it would not relate to and complement the existing building in scale, design, and materials, and would not maintain the established character of the street scene or be a positive addition to it. I have sympathy with the appellant in terms of his desire to pursue his hobbies in the outbuilding, and I note the letters of support from nearby residents. However, in this case, I am not convinced that the building, as constructed, in terms of its scale, design and materials, is the only solution to his requirements.
12. In conclusion, I find that the outbuilding is harmful to the character and appearance of the area around Berrymore Road and Parkhead Road, and that it would conflict with Policies SP6 and HO8 of the LP. Accordingly, I dismiss this appeal.

J D Westbrook

INSPECTOR