



Appeal Decision

Site visit made on 13 February 2024

by Mr Kim Bennett BSc DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th February 2024

Appeal Ref: APP/X2220/D/23/3335274

17 Dorman Avenue North, Aylesham, Kent CT3 3BP

- 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 Craig Wood against the decision of Dover District Council
 - The application ref 23/01204, dated 6 October 2023, was refused by notice dated 21 November 2023.
 - The development is a shed within front garden.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council referred to conflict with paragraphs 126-136 of the National Planning Policy Framework 2023 (the Framework) in its decision notice. A revised version of the Framework was published in December 2023 but the policy approach in respect of design matters has not changed other than the paragraph numbering. I have therefore referred to paragraphs 131-141 in this decision rather than paragraphs 126-136 from the previous version.

Main Issue

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

Reasons

4. The appeal property comprises an end of terrace two storey house located on the south west side of Dorman Avenue North. It is one of a terrace of four houses and there is a similar terrace adjacent to the north west. Elsewhere in the vicinity there are further terraces of residential properties although varying in length. Although there is on street parking in front of the terrace, there is no parking on site, the front gardens being mainly laid to lawn enclosed by low wooden fences. This is a characteristic feature of the immediate area.
5. The shed is already in place and comprises a substantial structure set a short distance back from the front boundary. The Council advises it is approximately 5 metres long x 2.5 metres wide x 2.1 metres high and is constructed of wood finished in a light brown stain.
6. The appellant argues that the shed blends in with the surroundings in terms of its materials being similar to wooden fencing, it is not particularly prominent

and the height above the boundary fence is negligible. Accordingly, the character of the area and the townscape will be preserved. I do not agree. On the contrary, I found that the shed is very prominent in the street scene as one approaches from the north west along Dorman Avenue North, from the opposite side of the road, and even from the south east, where it is still very apparent despite the slightly higher side boundary fencing and vegetation. Because of its large size in relation to the open front gardens, I agree with the Council that it appears as an incongruous and intrusive feature in the streetscene and causes visual harm as a result.

7. I also consider that allowing a shed of such a size in a front garden location, would make it difficult for the Council to resist similar proposals elsewhere, the cumulative effect of which would further detract from the character of the area and open front gardens in particular. In saying that I acknowledge the examples of other sheds in front garden areas referred to by the appellant, including one on the opposite side of the road. Whilst I note that the examples are generally significantly smaller in size, I agree they do have some visual impact. They are not therefore a good reason to justify a further proposal which causes increased harm. There is also no evidence before me as to how long they have been in position or whether they have benefited from planning permission and I have therefore attached little weight to those examples in reaching my findings.
8. I acknowledge the family health issues referred to by the appellant and am sympathetic to the need for additional storage space as a result. However, it seems to me that sufficient space would still be available in the rear garden, albeit with some rearrangement, to accommodate external storage requirements if required. In that respect I note that there is a shed already in the rear garden. The appellant advises it is in a poor state of repair, but I find it hard to accept that there would be no practical means to repair it so that storage items inside would be safely secure from children.
9. I note other concerns from local residents in respect of obscuring visibility along the footpath and amenity issues, but agree with the appellant that such issues are not problematic.
10. Drawing the above together, the size, siting and design of the shed in a prominent front garden location, has caused harm to the character and appearance of the area. It is therefore contrary to paragraphs 131-141 of the Framework which stresses the importance of development adding to the overall quality of an area, being visually attractive and being sympathetic to the surrounding built environment. It is also contrary to emerging Policy H6 of the Submission Draft Dover District Local Plan 2023, which says that development should be compatible with the appearance of the existing settlement.
11. Accordingly, the appeal should be dismissed.

Kim Bennett

INSPECTOR