
Appeal Decision

Site visit made on 30 April 2024

by Elaine Gray MA(Hons) MSc IHBC

an Inspector appointed by the Secretary of State

Decision date: 8 May 2024

Appeal Ref: APP/P2935/D/24/3337763

7 Beech Court, Widdrington Station, Northumberland NE61 5PW

- 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 Andrew Smith against the decision of Northumberland County Council.
 - The application Ref 23/03917/FUL, dated 18 October 2023, was refused by notice dated 12 January 2024.
 - The development is timber shed on front garden of the property.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the development on: the character and appearance of the surrounding area; and the living conditions of residents, with particular regard to overbearing.

Reasons

Character and appearance

3. Policy QOP1 of the Northumberland Local Plan (NLP) sets out design principles for development. Amongst other things, development should integrate with the site overall and the wider locale, having particular regard to the form, scale and massing prevailing around the site, and the pattern of any neighbouring or local regular plot and building widths, and where appropriate, follow existing building lines.
4. Beech Court is a suburban area containing a mixture of detached and semi-detached dwellings of a similar style. The appeal site at No 7 is located at the end of the cul-de-sac. To the north and south of the road, the main elevations of the houses follow a consistent building line, in front of which are a mixture of setted parking areas and flagged paths, interspersed with areas of grass and trees. The lack of boundary treatments gives the area a pleasantly open character and appearance.
5. The development comprises a timber shed/garage with a footprint of around 6.1m by 3.3m and a height of approximately 2.9m. It sits on the front forecourt of No 7, adjacent to a footpath at the side, and the boundary of the neighbouring dwelling at 9 Sycamore Close to the rear.

6. The shed is a simple rectangular structure with a shallow pitched roof. It is clad in dark brown stained horizontal timber boarding, and the roof is finished in black roofing felt. The pitched roof was chosen to match the pitched roofs of the porch and main roof of No 7, and the roofs of the nearby buildings. To that extent, it reflects this characteristic built form of the area.
7. However, the new shed takes up a significant part of the forecourt, awkwardly curtailing the immediate area in front of the main elevation of No 7. When viewed from the street, it appears contrived and dominant due to its scale and its proximity to the house. It therefore fails to integrate well with the site overall. It introduces development where none previously existed, eroding the open character and appearance that typifies the wider locale.
8. I saw no other example of a shed or other ancillary building being positioned forward of the main elevation of any house in the vicinity. Where garages were visible, they were integrated in the main body of the dwellings, or set well back from the building frontages. The development is thus out of keeping with the existing building lines in Beech Court, and the characteristically undeveloped front plots of the neighbouring dwellings.
9. The position of No 7 at the end of the cul-de-sac is not enough to mitigate the harmful visual effects of the development. On my visit, I walked through on the path from Sycamore Close, and I saw that the shed provides a tall, blank, hard edge to the pathway, restricting views and reducing the spacious, open feel of the pathway.
10. The appellant states that the timber cladding blends in with woodland, hedgerows, trees, garden fences and any visible garden sheds. Whilst I saw a small number of fences comprising dark stained vertical boarding, these were not typical features of the area. Furthermore, horizontal boarding is significantly different in visual character to natural elements such as trees and hedges.
11. The appellant argues that the building is temporary, having no foundations or floor slabs, and could be moved if needed. However, there is no indication of any intention to remove the shed, and if planning permission were to be granted for it, it could remain in place indefinitely. Therefore, to all intents and purposes, it is a permanent building and it would have a harmful impact in perpetuity.
12. Drawing these factors together, I therefore conclude that the development unacceptably harms the character and appearance of the surrounding area, contrary to NLP Policy QOP1, and NLP Policy HOU 9, which states, amongst other things, that residential developments will be supported where they contribute to a sense of place.

Living conditions

13. The Council object to the development on the grounds that, due to its scale and massing, it has an obtrusive and overbearing impact on the amenity of neighbouring residents. The appeal site has two immediate neighbours, which are 8 Beech Court to the east and 9 Sycamore Close to the west.
14. No 9 is set at a reasonable distance away, and has a thick hedge and a tree on the boundary between it and the appeal site. Due to the separation of the two houses and the nature of this intervening boundary treatment, I am satisfied

that the development does not have a harmfully overbearing effect on the residents of No 9.

15. No 8 sits at a similar distance away on the other side of the appeal site. The outlook from the house at No 8 is approximately to the south-east, and this remains unchanged by the development. The development sits on the south-west corner of the plot at No 7, at the point furthest from the boundary between the two properties. Therefore, although the shed is visible from No 8, views of it are oblique, and its presence is not harmfully intrusive or overbearing to those neighbours.
16. Nonetheless, as noted above, the development lies close to No 7, and forward of windows in its front elevation. Due to its proximity and scale, the shed is prominent in views from No 7, harming outlook from the house and giving rise to an overbearing effect on it. Whilst the appellant may be prepared to live with the harm, planning is concerned with land use in the public interest.
17. Consequently, on this issue, although the development preserves the living conditions of neighbours, it unacceptably harms the living conditions of occupiers, either existing or future, of No 7 in terms of its overbearing effect. Conflict therefore arises with NLP Policy QOP 2, insofar as it requires the physical presence and design of new development to preserve the character of the area and not have a visually obtrusive or overbearing impact.

Other Matters

18. I have taken into account the lack of objection to the development from neighbours. However, this does not outweigh the harm I have identified.
19. The appellant states that the shed improves living conditions by shielding noise from the play park, and increasing privacy at No 7 from those using the footpath, whilst leaving adequate space on the property for car parking. However, there is little detailed evidence before me relating to these problems, and in any case, these factors could be addressed more sympathetically, for example, by the introduction of planting on the boundary.
20. The appellant goes on to say that, in the absence of a curb line, the shed provides a barrier to keep pedestrians and those using the park from vehicles moving on and off the driveway. However, there is little evidence to show that vehicles entering or leaving the driveway are hazardous to public safety, which limits the weight I can give to this consideration.
21. I note that CCTV cameras will be installed at No 7 covering the new building and the driveway. The associated signage will act as a deterrent, increasing safety in the area. However, these benefits are not dependant on the presence of the shed, and so would not in themselves justify the grant of planning permission.

Conclusion

22. The appeal scheme conflicts with the development plan as a whole and there are no material considerations which outweigh this finding. As such, for the reasons given above, I conclude that the appeal should be dismissed.

Elaine Gray INSPECTOR