
Appeal Decision

Site visit made on 9 March 2021

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 April 2021

Appeal Ref: APP/L3245/D/20/3264873

Garden Cottage, Station Farm, Junction with Station Road Pant to Plas Cerrig Lane, Pant SY10 8LA

- 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 & Mrs Cumine against the decision of Shropshire Council.
 - The application Ref 20/00254/FUL, dated 16 January 2020, was refused by notice dated 14 October 2020.
 - The development proposed is erection of a single story rear extension and all associated works.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on the character and appearance of the host dwelling, a non-designated heritage asset, and the character or appearance of the area.

Reasons

3. The appeal property is a single-storey dwelling derived from what was originally an outbuilding associated with the property Well Cottage, located on the opposite side of the road to the appeal site. The building was initially converted from a barn to a 2-bedroom annex associated with Well Cottage and subsequently converted, including a change of use, to a separate 2-bedroom dwelling. The dwelling is sited such that its principle elevation faces within the plot and a blank elevation fronts the road, sited on the western boundary of the plot. The blank elevation is constructed of traditional rubble stone; except for a small area of the principle elevation, all other elevations have a rendered finish; the roof covering is slate. The property is located within a relatively large plot comprising domestic and vegetable gardens, hard-standing parking areas, polytunnel, timber outbuildings and stables.
4. For planning policy purposes, the site lies within open countryside and the property is deemed by the Council to be a non-designated heritage asset, applying criteria outlined in paragraph 2.29 of the Type and Affordability of Housing: Supplementary Planning Document-2012, (SPD), for the identification of heritage assets. The SPD is guidance, rather than policy, and in my opinion simply because a building pre-dates 1950 (one of the criteria for identification) does not mean that it is a building with special heritage interest. I also note

that the maps submitted by the Council deemed to be historic maps are not dated and they provide little detail of the building that originally existed on the site.

5. Nevertheless, one of the other criteria listed in the SPD for identifying heritage assets is that they are normally of local significance and add value to the landscape. Given that there does appear to have been a building on the site historically and part of it at least is still discernible, ie the rubble stone western facing elevation, then I accept that the property has some local significance that makes a positive contribution to the area.
6. Paragraph 197 of the national Planning Policy Framework (the Framework) requires the effect of development on the significance of a non-designated heritage asset to be considered in determining applications. The Framework advises that in weighing development that directly or indirectly affects non-designated heritage assets, a balanced judgement will be required, having regard to the scale of any harm or loss and the significance of the heritage asset.
7. Well House Lane has the character and appearance typical of country lanes in the surrounding area. It is a narrow road with grass verges, hedges and stretches of mature trees either side of it. There are a small number of properties well-spaced out along the road, with a handful of dwellings in a small cluster close to the appeal site. Only the appeal dwelling and the dwelling it was originally associated with are sited close to the road's edge, others are set-back from the road. The few dwellings that are visible along and from the road have evidently been extended over the years, though in my view these additions have not always been sympathetic to the original buildings.
8. The proposed single-storey extension would be sited along the eastern elevation of the property. Although not adjacent to the road, therefore, it would still be highly visible from public vantage points, eg as one travels in either direction along Well House Lane the respective end elevations would be visible; and most of the resultant dwelling would be visible from sections of a public footpath that leads from the road, south of the dwelling, across the neighbouring field.
9. The proposed extension would more than double the footprint of the existing building, and consequently more than double its mass and volume. I therefore consider the proposed extension would not respect the character or appearance of the property with regard to scale.
10. The proposed extension would have a dual-pitched roof over one half, the northern half, and a flat roof with glazed roof lantern over the other, southern half. The half with the dual-pitched roof would result in the property having 2 dual-pitched roofs with a valley gully. On the other half of the dwelling the proposed flat roof would be positioned close to the eaves of the existing dual-pitched roof. I consider the roof design of the proposed extension results in an awkward relationship with the existing building along each of the distinct halves, with a deep valley gully and a flat roof squeezed up tight against the existing eaves. Consequently, I consider the proposal does not respect the character or appearance of the existing property with regard to the design of the roof sections and how they relate to the existing dwelling.

11. Because of the proposed extension not respecting the host dwelling in respect of scale and design, aspects which would be highly visible from public vantage points, I consider the proposal would significantly harm the non-designated heritage asset. That said, from the evidence before me, I consider the significance of the asset to be of moderate importance. Nevertheless, I consider the harm to the character and appearance of the property would have a detrimental impact on the character and appearance of the area.
12. Bearing the above factors in mind, the proposal does not accord with policies CS5, CS6 and CS17 of the Adopted Core Strategy-2011 and MD2 and MD7a of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan-2015. Collectively, and among other things, these policies require new development to be of high-quality design; respond appropriately to existing development, including scale; take account of, maintain, protect and enhance the local character of Shropshire's built and historic environment and countryside character and conserve heritage assets.

Other considerations

13. The appellant has drawn my attention to an appeal, Ref APP/63245/D/19/3240051, in which the Inspector was satisfied that, although the extent of proposed extensions was large, the scale of development was deemed not to be harmful. In reaching this conclusion the Inspector noted that although the Council had advised the appellant that a 70% increase in floor area was a useful guide to ensuring extensions remain subservient. However, as there was no policy basis for this the Inspector gave the matter limited weight.
14. I do not have the full details of this case before me and cannot be certain of the extent to which the cases may be comparable. Furthermore, each case must be determined on its merits. Notwithstanding, I note from the appeal decision letter that the Inspector concluded that when viewed in the context of substantial plot size and the larger modern houses on two sides of the property, the proposals were deemed not to be harmfully large. Hence, the context of the site, with larger modern houses on two sides of the property, suggests that the site circumstances were very different to those of the appeal at hand, and therefore the two cases are not directly comparable.
15. The appellant suggests that there are no national or local policies restricting the size of extensions to existing dwellings. I acknowledge that the Council has not made me aware of any local policies that specify a size limit. However, as noted above, Policy MD7a requires new development to "*respond appropriately...to existing development...including...scale*"; Policy CS17 seeks to ensure that new development "*protects and enhances...local character of Shropshire's...built and historic environment*"; and Policy CS6 seeks to ensure development is "*designed to a high quality...which respects and enhances local distinctiveness.*" Consequently, although no size limit is specified in these policies, to my mind size and scale are factors to bear in mind when assessing the proposal against these policies.
16. The appellant has suggested that the footprint of the resultant dwelling, around 112 sqm, is only 12 sqm, larger than the footprint the Council usually relates to an affordable property. Regardless of whether this is the case, this is not the test to be undertaken. The proposal is an extension to an existing dwelling and is to be assessed against the relevant policies referred to; and I have found

that it does not accord with these policies. In light of the above, there are no other considerations that lead me to conclude other than in accordance with the development plan.

Other Matters

17. I note the appellant is dissatisfied with the service received from the Council in respect of the processing and determination of the application and considers that the Council did not act proactively during the process. I do not know the full details of communications between the Council and the appellant during the application process, and I am therefore not able to provide any meaningful comment. As this is not a matter that would alter my decision, I suggest if the appellant wishes to pursue the matter, this could be done through the Council's complaints procedure.

Conclusion

18. For the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR