



Appeal Decision

Site visit made on 14 March 2022

by Gareth W Thomas BSc(Hons) MSc(Dist) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22ND March 2022

Appeal Ref: APP/L3245/D/22/3290596

Meadow Bank Farm, Bryn-Y-Cochin, Criftins, Ellesmere SY12 9LW

- 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 M Donovan against the decision of Shropshire Council.
 - The application Ref 21/00071/FUL, dated 5 January 2021, was refused by notice dated 21 October 2021.
 - The development proposed is for a two-storey extension with the double garage attached to provide utility area, dining room & 2 no. bedrooms.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two-storey extension to provide utility area, dining room & 2 no. bedrooms at Meadow Bank Farm, Ellesmere SY12 9LW in accordance with the terms of the application, Ref 21/00071/FUL, dated 5 January 2021, subject to the following condition:

The development hereby permitted shall be carried out in accordance with the following approved plans: 2002.02; 2002.03 Rev B; Revised Location Plan; only.

Preliminary Matters

2. A number of plan revisions accompanied the appeal documentation. The officer report states that the double garage was removed from the planning application before it was determined. When carrying out my site visit, it appears that the remaining element comprising the two-storey extension has been carried out in advance of any consent. I have considered the appeal on the basis of the proposal for a two-storey extension only.

Main Issues

3. The main issues in this appeal are firstly, the effects of the extension on the character and appearance of the host property, a locally designated heritage asset and wider area; and secondly, whether the appeal scheme should be the subject of an ecological appraisal and if so, the effects of the proposed development on wildlife interests.

Reasons

Character and appearance

4. The appeal property lies in a fairly exposed hillside location within the countryside; although it is prominent in the immediate local scene, the

topographical undulations and woodland coverage surrounding the hamlet of Criftins means that the property is not highly visible from the public domain.

5. The Council confirms that the appeal site is included within the Shropshire GIS Mapping as potentially having historic merit as a non-designated heritage asset, which carries with it a requirement for a Heritage Impact Assessment to be carried out that identifies the significance of the building in historic and architectural terms, including its setting and whether any development would result in harm to that significance. I note that the appellant maintains that as the two-storey extension is attached to the 1994 extension, it would not involve any diminution of its significance. From what I saw, the extension as built lies within a paddock and away from the historic farm grouping.
6. The significance of this non-designated heritage asset lies in the simple form of this once farm worker's cottage and its setting comprising a modest complex of traditional red brick buildings set close to one another to the rear of the cottage. In my view, it is the arrangement of this complex of buildings that has the greatest importance; the extended cottage and the alterations that have previously been carried out results in the cottage itself having limited heritage significance.
7. I do not accept the contention that the appeal development is either disproportionate or amounts to the overdevelopment of the property or site. Neither do I accept that the extension is out of context and character in relation to the existing dwelling. Although the extension as built is somewhat bulky, its 'L' shape arrangement helps to contain the visual effect of what is now an enlarged building, when seen either from afar or from the nearest point along the public highway. Moreover, its height and use of appropriate materials to the local area results in an acceptable appearance that promotes and reinforces local distinctiveness.
8. In my judgement, I would conclude that the significance of the non-designated heritage asset derived primarily from its history as a cluster of modest traditional agricultural buildings grouped around the farmstead has not been harmed by the appeal extension. The design and use of materials appropriate to the locality has resulted in the introduction of an interesting building which has effectively replaced an unprepossessing one, which in turn has enhanced the character and appearance of the area.
9. As such it satisfies Policies CS5, CS6 and CS17 of the Shropshire Core Strategy (SCS) and Policies MD2, MD7a of the Shropshire Council Site Allocations and Management of Development Plan (SAMDev), SPD Type and Affordability of Housing, which collectively and amongst a plethora of matters seek to ensure that heritage assets of the County are protected through avoidance of loss of heritage significance whilst ensuring that new development is appropriate in scale and design having regard to local character.

Nature conservation

10. The Council argues that the householder development application should have been accompanied by an ecological appraisal although does not specify why or how such a modest proposal would be likely to have a potentially significant adverse effect directly, indirectly or cumulatively on any of the environments identified in Policy MD12 of SAMDev. There is no substantiated evidence that the development as built would affect, let alone harm, the nature conservation

interest of any designated area or local habitat, nor do I consider that it has. Conditions could have been attached that nature conservation interests are protected and enhanced. However, the Council instead has suggested the submission of a full ecological appraisal, which is wholly disproportionate in my view.

11. Accordingly, the appeal proposal satisfies rather than conflicts with the relevant development plan policies, specifically Policy CS17 of the SCS and policy MD12 of the SAMDev as well as the National Planning Policy Framework. These policies, inter alia seek to prevent development from having significant unacceptable effects on wildlife habitats whilst encouraging its conservation and enhancement.

Conditions

12. A condition is attached specifying approved plans in the interests of providing certainty. I do not consider the need for either a heritage assessment or an ecological appraisal as suggested by the Council given the above.

Conclusion

13. For the reasons stated, I conclude that this appeal be allowed.

Gareth W Thomas

INSPECTOR