The Planning Inspectorate

Appeal Decision

Site visit made on 7 June 2022

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 June 2022

Appeal Ref: APP/W1850/D/22/3290024
Dorgar, Shelwick Lane, Shelwick HR1 3AL

- 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 Neil Beament against the decision of Herefordshire Council.
- The application Ref 211242, dated 24 March 2021, was refused by notice dated 4 December 2021.
- The development proposed is a garage.

Decision

1. The appeal is allowed and planning permission is granted for a garage at Dorgor, Shelwick Lane, Shelwick HR1 3AL, dated 24 March 2021, subject to the following conditions:

    1) The development hereby permitted shall begin no later than 3 years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan Drawing Number 295.01; Block Plan Drawing Number 295.02; Ground Floor Plan Drawing Number 295.20 and Proposed Elevations – Garage Drawing Number 295.21.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

3. The appeal site comprises a detached bungalow located within the settlement of Shelwick. Individually designed properties sit comfortably within their plots which vary in terms of size and shape. At the time of the site visit I observed several properties with detached garages that sit forward of the main dwelling. I also observed that the host property was being refurbished and that part of the frontage has been cleared and lowered.

4. When viewed from the street the extent that dwellings are set back from the road varies. Furthermore, the existing frontages, boundary treatments and planting to the front of these properties provide a degree of variation in the appearance of the street.

5. The detached garage would sit forward of the front elevation of the property. However, it would be of a relatively small scale, of a sympathetic design and

located in the corner of the plot surrounded on two sides by planting and a low stone wall partially screening it.

6. Whilst the detached garage would be visible when approaching from either direction it would be read as a subservient structure viewed against the backdrop of existing dwellings, boundary treatments and planting. For these reasons the proposed garage would not appear overly prominent or incongruous within the street scene.

7. The Council have made reference to the host property benefitting from an integral garage. However, the appellant advises that the garage will be converted into a habitable space in the form of a reception room. Based on my observations at the site visit it is apparent that this work is underway and that the property no longer includes an integral garage. I therefore give this aspect of the Council's argument little weight.

8. I conclude the proposed development would not undermine the character and appearance of the area. Consequently, it would accord with Policies SD1 and LD1 of the Herefordshire Local Plan (2015) which, amongst other things, require new buildings to maintain local distinctiveness and proposals to be positively influenced by the character of the landscape and townscape.

9. It would accord with Policies HS4 and HS5 of the Holmer and Shelwick Neighbourhood Development Plan (2020) which, amongst other things, require developments to be of good quality design sensitively integrated into both the existing urban fabric and the surrounding rural landscape, and development proposals to demonstrate that the character of the local landscape has influenced the design, scale, form and siting of it.

10. It would also accord with the National Planning Policy Framework (the Framework) which, amongst other things, requires developments to add to the overall quality of the area and to be sympathetic to local character.

Conditions

11. I have considered the imposition of conditions in accordance with the Framework and the Planning Practice Guidance. In addition to the standard three-year time limit condition for implementation; I have imposed a condition specifying the relevant drawings as this provides certainty.

Conclusion

12. For the reasons set out above the appeal succeeds.

B Thandi

INSPECTOR