The Planning Inspectorate

Appeal Decision

Site visit made on 2 December 2022

by S Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 09 December 2022

Appeal Ref: APP/L3245/D/22/3305240
1 Station Cottages, Yockleton, Shrewsbury SY5 9PU

- 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 Ms Sian Brookes against the decision of Shropshire Council
- The application Ref: 22/02066/FUL, dated 29 April 2022, was refused by notice dated 22 June 2022.
- The development proposed is the demolition of an existing conservatory and lounge and a new ground floor layout and a new first floor extension with a pitched roof over.

Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property which forms one of a pair of two storey, former rail workers' cottages adjoining the railway has been extended by a single storey kitchen and bathroom and by a conservatory. It includes two bedrooms and a study room. The external walls of the original house (including also the adjoining original dwelling) are white render while the single storey extension has brick faced walls.

4. The simple design, limited size and the external materials of the original two storey dwelling all contribute to its character adding positively to its appearance. The single storey extension and conservatory have a less positive effect.

5. The proposed development is to add a two-storey side and wrap round rear extension to the original dwelling of approximately 8.75 metres in width and 8.5 metres deep, with a height to the ridge of some 7.75 metres and approximately 4.95 metres to the eaves. It would have a double pitched gable to its outer elevation, extending to just below the ridge of the original dwelling and with considerable areas of glazing at first floor level. In addition, the existing conservatory would be demolished and also a flat roofed rear extension would sit on the same site as the current kitchen, bathroom and WC.

6. The local planning authority conservation officer considers that, while the cottage has been much extended from its simple original plan form by single storey extensions, the core building '*may represent a non-designated asset'.*

7. Even if the core building were not considered to be a non-designated heritage asset, I find that the proposed development, especially the two-storey side and rear extension, would change fundamentally and adversely the character and appearance of the core building. Indeed, by its bulk and size, the proposed two storey extension would not be subservient to the core building, but rather, it would both dominate and overwhelm it, while the proposed extensive use of glazing at first floor level, would introduce an inappropriate element absent in the original property. While the proposed external materials would match those of the original dwelling, this would not overcome the identified harm to it.

8. Therefore, I conclude that the proposed development would not accord with policy CS6 of the Shropshire Core Strategy 2011 or with policy MD2 of the Shropshire Council Site Allocations and Management of Development Plan 2015, which aim to protect, conserve and enhance the character of heritage assets and also require development to be appropriate in terms of scale and proportion. It would also conflict with paragraph 130 of the National Planning Policy Framework 2021 which emphasises the need for good design which is sympathetic to local character and history.

Other Matters

9. The proposed development would provide more suitable accommodation for the applicant's mother who currently lives next door at No 2 Station Cottages; she has mobility issues which mean that she is unable to access the upper floor of her dwelling.

10. The appellant proposes that she either rents or sells her property and moves into the extended appeal dwelling with a new staircase capable of accommodating a stair lift when the need arises, plus a downstairs shower/toilet room and utility room capable of accommodating a mobility scooter. The new kitchen would provide suitable accommodation for her disability. The appeal is accompanied by a letter from her GP setting out her medical history.

11. I have given consideration to the Human Rights Act, Protocol 1, Article 8 with respect for a person's private and family life and house. I have also taken into account the Public Sector Equality Duty contained in section 149 of the Equality Act 2010. While the personal circumstances of the appellant's mother are put forward as justification for the development, I have no evidence before me which demonstrates that her needs could not be suitably met within her own home, with or without adaptation, or by the existing housing stock in the area. This reduces the weight that can be afforded to these personal circumstances in this case.

12. The appellant makes reference to the internal arrangements of the existing property and which may not conform to Building Regulations. However, I have no evidence before me that any such matters could not be resolved within the proposed development.

13. In this case, I find that my decision to dismiss the appeal is a necessary and proportionate approach to the legitimate aim of ensuring good design in the public interest. This outweighs the personal circumstances outlined above.

Conclusion

14. For the above reasons, I conclude that the appeal should be dismissed.

S. Hartley

INSPECTOR