

Appeal Decision

Site visit made on 12 June 2023

by N McGurk BSc (Hons) MCD MBA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th July 2023

Appeal Ref: APP/L3245/D/23/3318428
48 Underdale Road, Shrewsbury, SY2 5DT

- 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 Jordanis Petridis against the decision of Shropshire Council.
 - The application Ref 22/04602/FUL, dated 8 October 2022, was refused by notice dated 20 December 2022.
 - The development proposed is conversion of existing garage and extension to form a flat annexed to existing house.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. One of the Council's reasons for refusal refers to a loss of a parking space that would arise from the proposed development. However, the appeal property is located within a sustainable location, close to a wide range of services and facilities and is within easy walking distance of public transport. There is no substantive information before me to demonstrate that the proposed development would result in significant harm to highway safety and consequently, this appeal decision focuses on the main issue set out below.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the Shrewsbury Conservation Area.

Reasons

4. The appeal property is a two storey detached dwelling with a small detached garage to the side and set forward of the host dwelling's front elevation. The garage is separated from the host dwelling to the front by a brick wall.
 5. The appeal property is set back a short distance from the pavement behind a hedgerow and short front garden area, whilst the garage to the side is set back behind a tall wooden gate.
 6. The appeal property is located within the Underdale Road Special Character Area which itself is located within the Shrewsbury Conservation Area, characterised in this location by the presence of attractive Victorian and Edwardian two and three-storey red-brick dwellings, replete with a range of
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period features including sash windows, stained glass, gable and bow windows, decorative brickwork, stone lintels, timber-boarded gables and brick and rail boundaries.

7. Underdale Road in this location is narrow, with a pavement along one side only. This gives rise to a sense of intimacy, whereby the street's period features can be keenly appreciated.
8. The appeal property's detached garage appears to have been designed as an attractive ancillary feature, "peeping" above the wooden gate and brick wall to Underdale Road, allowing glimpses of its modest dimensions and interesting features, including black timber boarding over white render and its small, simple roof.
9. Further, the small scale of the garage also allows for views alongside and above the garage roof to the host dwelling and to trees and to greenery behind. Also, the design and scale of the garage is such that it greatly complements and does not detract from the appreciation of the attractive brick and gate boundary features of both the appeal property and its neighbour, Number 46 Underdale Road, to the front of the garage.
10. The proposed development seeks to significantly extend the height and the footprint of the garage. I find that this would fundamentally alter the appearance of the garage and its relationship with the host dwelling and its surroundings.
11. The proposed roof would rise considerably above the garage ridge and would be of such a height and would combine with other proposed elements of the scheme such that it would draw undue attention to itself as a considerable residential development, somewhat bulky and awkward in appearance, rather than as a modest ancillary building. Further, the overall roof form would appear disjointed and out of scale with the boundary features, leading it to appear incongruous with its surroundings.
12. As a result of the above, the proposal would draw undue attention to itself as an incongruous and unsympathetic form of development that would appear to the detriment of the Shrewsbury Conservation Area's qualities.
13. Consequently, the proposed development would fail to conserve the appearance of the Shrewsbury Conservation Area. Having regard to paragraph 202 of the National Planning Policy Framework (the Framework) and to Planning Practice Guidance, I consider that the harm to the character and appearance of the Conservation Area would be less than substantial. This needs to be balanced against any public benefits the development may bring.
14. In this respect, whilst I recognise that the proposal would provide for additional living space and enable the sharing of the appeal property, this does not amount to a significant public benefit and there is nothing before me to demonstrate that there are any benefits that would amount to such public benefits that they would outweigh the harm identified.
15. Taking all of the above into account, the proposal would fail to conserve the character and appearance of the Shrewsbury Conservation Area contrary to the

National Planning Policy Framework; to Core Strategy¹ Policy CS6; and to SAMDev DMP² Policies MD2 and MD13, which together amongst other things, seek to protect local character.

Conclusion

16. For the reasons given above, the appeal does not succeed.

N McGurk

INSPECTOR

¹ Reference: Shropshire Local Development Framework: Adopted Core Strategy (2011).

² Reference: Shropshire Site Allocations and Management (SAMDev) Plan (2015).
