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# Appeal Decision

Site visit made on 8 August 2023

**by L Hughes BA (Hons) MTP MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 21 August 2023**

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**Appeal Ref: APP/L3245/D/23/3317687**

**Marsh Bungalow, Marshbrook, Church Stretton, Shropshire SY6 6RQ**

- 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 Mrs Rebecca Impson Greanleaf against the decision of Shropshire Council.
  - The application Ref 22/04510/FUL, dated 2 October 2022, was refused by notice dated 20 January 2023.
  - The development proposed is extension and alterations to existing bungalow including the creation of first floor accommodation.
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## Decision

1. The appeal is dismissed.

## Procedural Matter

2. The above site address is taken from the decision notice and Section D of the appeal form. This is more accurate than the wording included on the application form.

## Main Issues

3. The main issues are:
  - a) the effect of the proposal on the character and appearance of the existing building and surrounding area, having particular regard to the location of the site within the Shropshire Hills Area of Outstanding Natural Beauty (AONB); and
  - b) the effect of the proposed development on the living conditions of the occupiers at Marsh Crossing with particular reference to privacy.

## Reasons

### *Character and appearance*

4. Marsh Bungalow is a single-storey dwelling which lies in an elevated position, just off the A49 between Marshbrook and Felhampton. The bungalow shares an access with a neighbouring two-storey property, Marsh Crossing. A two-storey dwelling, Marsh Cottage, lies on the opposite side of the A49, directly adjacent to the road, and sitting on lower ground.
5. The proposal would see the existing two bedroomed bungalow extended to a full height, two-storey, four bedroomed dwelling. Whilst acknowledging that the proposed ridge height would not be excessively higher than that of the host dwelling, the overall mass and bulk would be significantly greater and

some sections of the existing elevations would be more than doubled in height. Although similar in footprint to the original dwelling, the resultant dwelling would bear very little resemblance to the original dwelling in terms of size and scale. The proposed alterations would unacceptably increase the height, mass and the prominence of the building. The nature of the dwelling as a modest bungalow is an integral part of its character. Whilst this does not preclude extensions, the proposed design would fail to respect the original property and would overwhelm the original property to the detriment of its character and appearance.

6. The proposal lies within the Shropshire Hills AONB. That the site does not lie in what the appellant considers to be a particularly sensitive area does not alter the fact that the site lies within an AONB; all parts of the designation have the same protected status. Within an AONB there is a statutory requirement to have regard to the purpose of conserving and enhancing the natural beauty of the area, and a national policy expectation to give great weight to conserving and enhancing the natural beauty of the AONB. I have determined the appeal with these duties and responsibilities in mind.
7. Despite its position set back from the road and partly screened by hedgerows and trees, the proposed development would be more visually dominant in the landscape than the existing bungalow due to its increase in height and scale. I recognise that Marsh Crossing, a neighbouring property, is prominent in the landscape due to its size, height and elevated position. However, this does not alter my opinion that the increased prominence and visual impact of the proposed extension would have an adverse impact on the rural landscape and scenic quality of the AONB.
8. The refusal reasons relate specifically to the effects on character and appearance, but I note that reference is made to the Supplementary Planning Document: Type and Affordability of Housing (2012) (SPD). Amongst other things, this seeks to control the size of extensions to dwellings in the countryside, in order to help maintain the stock of smaller, lower cost market dwellings. Insofar as it would transform a modest bungalow into a much larger (and therefore less affordable) two-storey family house, the proposal would be contrary to the objectives of the SPD. Although this would weigh against a grant of permission, the adverse visual impacts, including the harm to the AONB, arising from the significant increase in scale and bulk, are determinative in this case.
9. I therefore conclude that the proposal would cause material harm to the character and appearance of the existing building and surrounding area. It would conflict with Policies CS6 and CS17 of the Shropshire Local Development Framework Adopted Core Strategy (2011) (Core Strategy) and Policy MD2 of the Site Allocations and Management of Development Plan (2015), which seek to ensure that development is appropriate in scale and design and enhances the natural environment.

#### *Living conditions*

10. I agree with the Council that the occupiers of Marsh Cottage would not be unduly affected by the proposed development, due to its physical and visual separation. However, the proposed extension would lie close to the boundary with the garden of Marsh Crossing, which is currently not overlooked. The proposed west elevation includes two first-floor windows directly facing

Marsh Crossing's garden, which would have opaque glass fitted. The third window on this elevation would serve a bedroom. Although slightly beyond the rear boundary of Marsh Crossing, it would still facilitate views into this property's garden. If I were to find the scheme acceptable in all other regards, a condition could be imposed to remove the window or replace it with opaque glass. This would preserve the privacy of the occupiers of Marsh Crossing and secure compliance with Core Strategy Policy CS6.

### **Other Matters**

11. I recognise that Marsh Bungalow is in need of modernisation and that it may not meet the appellant's needs in its present form. I have also taken account of the arguments raised in respect of previously developed land. However, these matters do not justify the harm or lead me to a different overall conclusion.

### **Conclusion**

12. Although I have not found any harm to living conditions for neighbouring occupiers with regard to privacy, the proposal would unacceptably harm the character and appearance of the host building and would have an adverse impact on the rural landscape and scenic quality of the AONB. Accordingly, I find that the proposal would conflict with the development plan taken as a whole and there are no reasons to indicate a decision other than in accordance with the development plan.
13. For the reasons given above I conclude that the appeal should be dismissed.

*L Hughes*

INSPECTOR