

Appeal Decision

Site visit made on 10 October 2023

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26.10.2023

Appeal Ref. APP/L3245/D/23/3324736

6 Western Drive, Oswestry SY11 1HB

- 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 Natalie Wirdnam against the decision of Shropshire Council.
 - The application ref. 22/05755/FUL, dated 26 December 2022, was refused by notice dated 5 April 2023.
 - The development proposed is "*Erection of extension to rear*".
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Decision

1. The appeal is dismissed.

Preliminary matters

2. The description of the proposed works in the heading above is taken from the Council's decision notice as it is more succinct than the one provided on the householder application form.
3. As suggested by the Council in its questionnaire, in addition to visiting the appeal property, I also attempted to assess the appeal proposal from the adjacent property to the north-west known as 8 Western Drive. I called at that property but there was no answer. I am satisfied that I have seen everything I need to determine the appeal from my visit to the appeal property and I will proceed on that basis.

Main issues

4. The main issues are the impacts of the proposed rear extension upon the appearance of the host dwelling and the locality and upon the amenity and living conditions of the neighbours at 8 Western Drive with regard to the potential for any overbearing effects and loss of light.

Reasons

5. Paired with no. 8, the appeal property is a compact, 3-bedroom, 2-storey semi-detached house finished in red bricks, with natural slates over the hipped roof shared by both houses. It lies in an established and pleasant residential area near the junction between Western Drive and Offa Drive. Many of the houses hereabouts follow a similar, simply detailed semi-detached form which makes for a locally distinctive pattern of development.
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6. No. 6 benefits from single-storey, lean-to rear extensions. These would be removed. Across the first floor, the proposed rear extension would provide for all 3 bedrooms to be increased in size and a larger bathroom whilst a combined dining area/kitchen and a toilet would be added on the ground floor.
7. At 3.6 m in depth, the proposed 2-storey rear extension would be no deeper than the current single-storey rear conservatory, but it would span across virtually the full width of the original rear elevation such that very little of the original rear wall face would remain visible. It would also be wider than the original end gable of the house. Its hipped ridge would reach up to the same height as the existing main hipped roof. Given its size, the proposed 2-storey rear extension would add substantial bulk and mass to the rear elevation and appear unduly dominant, bulky and out of scale with the host dwelling.
8. Even though matching materials would be used, the extension would appear as an insufficiently subservient addition to the existing dwelling and would detract from its appearance and that of its immediate surroundings. The absence of other 2-storey rear additions to the nearby properties on Western Drive would tend to exaggerate the adverse visual impacts of the proposed extension on the host building and the locality. The scheme would not materially affect Western Drive as viewed from the front but the extension would be visible from several nearby residential properties, Offa Drive and the access way and associated garage court to the rear.
9. The appellant points to a 2-storey extension within eyesight of the appeal property. This isolated example relates to a different street and local context and each application should be considered on its own individual merits. In any event, I have no planning history before me of that other case. There is no compelling local precedent at this time for the development proposed.
10. Having regard to the rather close-knit layout of the houses, the position of the appeal property to the south-east of no. 8 and the very narrow gap between the flank wall of the proposed development and the common boundary, the proposed 2-storey rear extension would be of sufficient height, scale and massing to cause a notable degree of overshadowing of the rear windows and back garden at no. 8. There would be a reduction in daylight reaching those areas. The passage of sunlight would also be interrupted especially during those times of the year when the sun is lower in the sky. The proposed extension would also create an unacceptable sense of enclosure as it would appear visually overbearing in the outlook from no. 8.
11. These adverse consequences are confirmed whereby the extension would exceed a line taken at 45 degrees (in horizontal plan) from the midpoint of the nearest ground floor window in that neighbouring property.
12. I find on the main issues that the proposed rear extension would detract from the appearance of the host dwelling and the locality and would materially harm the amenity and living conditions of the neighbours at 8 Western Drive with regard to the potential for overbearing effects and loss of light. Accordingly, there would be conflict with Policy CS6 of the Shropshire Local Development Framework Adopted Core Strategy and Policy MD2 of the Site Allocations and Management of Development Plan which seek to ensure development, amongst other things, is designed to a high quality, safeguards residential and local

amenity and contributes to and respects locally distinctive or valued character and existing amenity value. Good design is also a cornerstone of the National Planning Policy Framework. This would not be achieved.

13. I have taken account of the absence of substantive local objections. I also give weight to the appellant's reasoning for the extension as described in the appeal statement, in particular the construction problems around the existing conservatory, the improvements to the insulation of the property the scheme would enable and the proposed enhancement of the internal accommodation on both floors. However, I am of the view that these considerations are not sufficient to outweigh the harm that I have described.

Conclusion

14. My findings on the main issues are decisive to the outcome of this appeal. There is conflict with the development plan. The harm cannot be mitigated by the imposition of planning conditions and it is not outweighed by other considerations. For the reasons given above and taking into account all other matters raised, I conclude that this appeal should not succeed.

Andrew Dale

INSPECTOR