



Appeal Decision

Site visit made on 17 October 2023

by Hannah Ellison BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st October 2023

Appeal Ref: APP/L3245/D/23/3321114

41 Snailbeach, Shrewsbury SY5 0NX

- 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 Marc Illman against the decision of Shropshire Council.
 - The application Ref 23/00309/FUL, dated 20 January 2023, was refused by notice dated 1 March 2023.
 - The development proposed is erection of two storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the Snailbeach Conservation Area.

Reasons

3. The appeal property is a detached, two storey cottage of traditional size and appearance. It occupies a mature, elevated site within the Snailbeach Conservation Area (the SCA). The significance of the SCA appears to be derived from the dispersed pattern of development of the small settlement of Snailbeach and the well-preserved buildings and spaces within it which reflect its mining past. Given the traditional construction and characteristics of the host dwelling, it makes a positive contribution to the SCA and is identified as a non-designated heritage asset.
4. The appeal dwelling has previously been extended at two storey level to the side. I observed that this is a generally subservient addition to the dwelling and did not compete with its modest size and traditional characteristics, due to its limited width and overall massing.
5. The proposal would significantly amplify the existing side extension and subsequently the bulk and mass of the host property. This would result in a side addition which would overwhelm the traditional proportions of the original dwelling by virtue of its excessive width and bulk, even despite the slight set down of the ridge and eaves.
6. The appeal dwelling is visible from the public highway given the raised topography of the site. I am not convinced that the existing landscaping and steep land restricts all views. The proposal would be readily apparent and, for the reasons noted above, would clearly read as a dominant addition which does not harmonise well with the host dwelling. Overall, it would not be a subservient or sympathetic feature and thus it would fail to preserve the

dwelling's modest, traditional character for which it is noteworthy within the SCA.

7. I acknowledge that the local vernacular is mixed, with examples of traditional and modern construction within close proximity to the appeal site, and there may be instances where modern extensions to traditional properties are appropriate. However, it is the effect of the significant bulk and massing of the proposal, combined with the previous extension, which causes harm to the host building and the locality in this instance.
8. Taking all the above into consideration, the proposal would have an adverse effect on the character and appearance of the host dwelling and, in turn, would fail to preserve the character and appearance of the SCA.
9. Given the scale of the proposed development, the level of harm it would cause to the SCA and the host dwelling would be less than substantial. Nevertheless, paragraph 199 of the National Planning Policy Framework (the Framework) is clear that great weight should be given to the asset's conservation, irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
10. Paragraph 202 of the Framework requires this harm to be weighed against the public benefits of the proposal. Whilst the proposed development would create jobs during construction, these would be temporary and limited given the scale of the proposal. No other public benefits have been put to me. An improved internal layout is a private benefit and, moreover, I am not convinced that the existing dwelling does not provide adequate living conditions for existing occupiers. Therefore, the harm I have identified would not be outweighed.
11. Accordingly, the proposal would harm the character and appearance of the host dwelling and would fail to preserve the character and appearance of the SCA. It therefore conflicts with Policies CS5, CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy (March 2011) and Policies MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (December 2015). Together, these policies seek to ensure developments are of a high-quality design which responds to local character and protects the historic environment.
12. The proposal also conflicts with the guidance on controlling the size of dwellings in rural areas to ensure development is sympathetic to the character and appearance of the original building as set out in the Type and Affordability of Housing Supplementary Planning Document (September 2012). It also fails to accord with the aims of achieving well-designed places that are sympathetic to local character and history as set out in the Framework.
13. The appellant suggests that the policies of the development plan may be out-of-date given their age. However, the Framework is clear that existing policies should not be considered out-of-date simply because they were adopted prior to the publication of the Framework and that due weight should be given to them, according to their degree of consistency with the Framework. The aims of the policies set out above are in line with those of the Framework. Therefore, the presumption in favour of sustainable development at paragraph 11d of the Framework is not engaged.

Conclusion

14. The proposal conflicts with the development plan when taken as a whole and there are no other considerations which indicate that a decision should be made other than in accordance with it. Therefore, the appeal should be dismissed.

H Ellison
INSPECTOR