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# Appeal Decision

Site visit made on 5 March 2024

**by N Bromley BA (Hons) DipTP MRTPI**

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

**Decision date: 02 April 2024**

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**Appeal Ref: APP/L3245/W/23/3331917**

**2 Ivy Villas, Criftins, Ellesmere, Shropshire SY12 9LY**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Roger Jones against the decision of Shropshire Council.
  - The application Ref is 23/00699/FUL.
  - The development proposed is extension of curtilage and erection of garage.
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## Decision

1. The appeal is dismissed.

## Preliminary Matters

2. The Government published a revised National Planning Policy Framework (the Framework) on 19 December 2023 and updated on 20 December 2023. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.
3. The address on the application form includes reference to "Junction West Of Pentrehelin To Junction South Of Greenhill Bank". This is a description of the location, rather than part of the address. For this reason, I have omitted this from the banner heading. I also note that the decision notice and appeal form do not use this part of the address line either.

## Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

## Reasons

5. The appeal site is immediately adjacent to the host property, 2 Ivy Villas, a semi-detached dwelling, located within the rural settlement of Criftins. The existing dwelling is located on the edge of the settlement with open fields beyond the side and rear boundaries. The settlement has a sedate and attractive appearance, and overall, the surrounding area has a prevailing rural character.
6. The existing buildings within the settlement are of a varying age, size, form, and appearance, primarily built up close to the narrow road edge. However, the host property and the adjoining neighbour are located away from the main group of buildings within the settlement. The dwellings are also set back from the road, with large parking areas to the frontage.

7. The proposed garage would be located on land beyond the residential garden of the host property and forms part of an agricultural field. The land has been fenced off on three sides with direct access from the host property.
8. While I acknowledge that the proposed garage would have an appropriate size and appearance for a domestic garage, the building would be located beyond the side boundary of the garden, on agricultural land. It would also occupy a prominent position set significantly forward of the pair of semi-detached dwellings. Therefore, the position of the proposed garage, on the edge of the settlement and on agricultural land, noticeably away from other buildings, would appear abrupt in the landscape.
9. In addition, the encroachment of residential development erodes the agricultural characteristics of the site and the surrounding rural setting, which would cause significant harm to its character and appearance.
10. Landscaping on the boundaries would help to soften the appearance of the proposed garage but it would not suitably mitigate the harm that I have identified, even if planting were allowed to grow to a reasonable height. Likewise, whilst the proposed facing materials are sympathetic to the rural setting, the proposal would appear as a domestic garage, which would sit uncomfortably in the context of the site and its surroundings. As such, it would be incongruous.
11. Although there are some buildings, including domestic outbuildings, nearby which are built up close to the road, these are located in a different part of the settlement. Having considered the design and layout of this proposal, and its effect on the character and appearance of this area, for the reasons given, I consider that there would be unacceptable harm. Given this, the examples provided by the appellant do not add weight in favour of the development. Accordingly, as I am required to do, I have determined the case before me on its own merits.
12. For the above reasons, I conclude that the proposed development would unacceptably harm the character and appearance of the area. It therefore conflicts with Policies CS5, CS6 and CS17 of the Shropshire Core Strategy and Policy MD2 of the Shropshire Site Allocations and Management of Development Plan, and the Type and Affordability of Housing Supplementary Planning Document, which together, and amongst other things, seek to ensure that development maintains and enhances countryside character; and respects and enhances local distinctiveness.
13. It would also fail to accord with the design objectives of the Framework which seeks to achieve well-designed and beautiful places.

### **Planning Balance and Conclusion**

14. I understand that the existing garage to the side of the host property will be removed to allow a new extension to provide additional accommodation for an elderly relative to live at the property. While I have taken into account the desire of the existing occupants and their relative to live in close proximity to one another for caring and companionship purposes, this would be a private benefit and I therefore attach limited weight.
15. The proposed garage would provide parking for vehicles and storage for domestic outdoor equipment. New native hedge planting, as well as bat boxes

and bird nesting boxes and other ecology measures would help to improve biodiversity. I also note that the Parish Council have raised no objections. There also appears to be no flood risk concerns associated with the proposed development. However, these benefits would be limited by virtue of the scale of the proposed development.

16. Taking the above matters into consideration, the benefits would not outweigh the identified harm that I have found would be caused in relation to the character and appearance of the area.
17. Consequently, I conclude that the proposed development would conflict with the development plan as a whole. I have found no other material circumstances that would outweigh that conflict. As such, the appeal is dismissed.

*N Bromley*

INSPECTOR