



Appeal Decision

Site visit made on 15 October 2024

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 November 2024

Appeal Ref: APP/K3415/D/24/3346091

Haddon House, St Johns Hill, Shenstone, WS14 0JB

- 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 Peter Christodoulou against the decision of Lichfield District Council.
 - The application Ref is 24/00050/FUH.
 - The development proposed is the remodelling of the existing dwelling known as Haddon House with new extensions, external alterations, new vehicular access to Holly Hill Road including new site entrance gates, widening of existing access to St Johns Hill and removal of existing site entrance on the corner of St John's Hill and Holly Hill Road.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed extensions and alterations on the character and appearance of the Shenstone Conservation Area and nearby listed buildings, including the effect on trees.

Reasons

3. Haddon House is a large, Georgian-style detached house, situated on a corner plot at the junction of St Johns Road and Holly Hill Road, some 250 metres to the south of the centre of the village of Shenstone, and within the Shenstone Conservation Area (CA). It stands in extensive grounds with mature landscaping. In addition to the main house, which is apparently a 1970s interpretation of a much earlier dwelling, there is a more modern 2/3-storey garage/outbuilding to the north. The two buildings are connected by a large glass conservatory. Access to the property is gained from vehicular entrances to the north-east on St Johns Road and to the south east from Holly Hill Road.
4. The proposed development would involve significant demolition of the outer fabric of the existing main house to allow for alterations to the front entrance and window openings, along with the construction of a 2/3-storey modern rear extension. It would also involve significant reconstruction of the interior of the main house; demolition of the side canopy and the large conservatory with subsequent replacement with modern elements; an increase in height of the hipped roof; significant excavations to the rear to create a new vehicular entrance and driveway; extension to the existing rear patio area with the construction of a large lower-ground level garage for 6 vehicles beneath; and other alterations to the existing main building, garage building and grounds.

5. Haddon House is situated at the southern end of the CA where the characteristic features are detached houses, of varying designs, within large plots, and a preponderance of mature trees and hedges both within the plots and along front boundaries. The CA Character Appraisal notes that the properties to either side of St Johns Hill are chiefly from the mid-late 20th century and whilst not of historic interest, they form an attractive group within the conservation area. In addition, the area bounded by Holly Hill Lane and Fotherley Road, which includes the appeal property, is included in the CA because of its impressive number of mature trees which edge the roads, and which are part of the character of the CA.
6. The Character Appraisal indicates that appropriate traditional materials such as, for example, painted timber windows and doors, should be used when extending or developing properties within the CA, and that important individual trees and groups of trees should be retained. The Appraisal Map shows individual trees within the appeal property, as well as much of the mature boundary treatment and trees, as specific features within the CA to be retained.
7. Policy BE1 of the Lichfield District Local Plan Strategy 2015 (LP), which relates to high-quality development, indicates that development will be permitted where it can be clearly and convincingly demonstrated that it will have a positive impact on the significance of the historic environment, such as listed buildings and conservation areas. In addition, new development, including extensions and alterations to existing buildings, should carefully respect the character of the surrounding area and development in terms of size, scale, and architectural design.
8. Policy BE2 of the LP indicates that development proposals which conserve and enhance the historic environment will be supported where the development will not result in harm to the significance of a heritage asset or its setting. Moreover, harm to a heritage asset will only be permitted where it can be demonstrated that the ensuing harm and loss of significance of the heritage asset is necessary to achieve public benefits that outweigh that harm or loss, in accordance with the National Planning Policy Framework (NPPF).
9. Policy CP3 of the LP states that development should address such key issues as the protection and enhancement of the character and distinctiveness of Lichfield District and its settlements, and also be of a scale and nature appropriate to its locality. CP14 notes that new development must make a positive contribution to the historic environment's local distinctiveness, and that the significance of designated heritage assets and their settings, will be conserved and enhanced and given the highest level of protection.
10. Policy NR3 of the LP indicates that development will only be permitted where it protects, enhances, restores and implements appropriate conservation management of the biodiversity value of the land and buildings, while Policy NR4 states that the removal of large mature species and their replacement with smaller shorter lived species will be resisted. Moreover, sufficient space within developments must be reserved for the planting and sustainable growth of large trees in order to retain the important tree canopy cover in conservation areas, while potential long term conflict between retained trees, hedgerows and built form should be designed out at the planning stage.

11. Policy H3 of the Shenstone Neighbourhood Plan 2015-2029 (NP), made in 2016, states that housing development which extends an existing dwelling must demonstrate how the design of the dwelling is in keeping with the predominant architectural style of the residential properties in the immediate surrounding area.
12. In this case, the part of the CA in the vicinity of the appeal property, around St Johns Hill and Holly Hill Lane, is characterised largely by detached houses which use a variety of relatively modern designs. They have large gardens and most include mature planting, frequently with substantial boundary hedges. From the information available to me, it would appear that the original Haddon House was a somewhat isolated dwelling at the top of St Johns Hill, which has now been rebuilt in a style to replicate the earlier building. It currently has a regular, rectangular design of Georgian appearance with period style doors and windows and decorative iron features including rear balconies and a side canopy. It has a long side/rear conservatory of a classical glazed design and, on the northern side, a more modern garage building with hipped roof and windows at first-floor level of a design to reflect the context of the main house.
13. The proposed extensions and alterations would involve the addition of extensive modern elements to all sides utilising chiefly glazed walls with grey/black metal surrounds and flat roofs. At the front of the house, the result would be loss of much of the front façade to a large glazed, flat-roofed double-height front porch with grey/black metal surround, and re-modelled windows, the ground-floor windows of which would be extended down to ground level. The south side elevation windows would be similarly altered and the decorative canopy replaced with a modern flat-roofed example.
14. The house would be extended at the rear to include a two-storey lounge/bedroom element with a dormer above to serve a loft conversion. The rear elements would be glazed with grey/black metal surrounds, and would have flat roofs which would extend to the side beyond the raised hipped roof by a small amount, resulting in a somewhat awkward juxtaposition. The period style conservatory would be replaced by a full length modern version which would replicate the new flat-roofed elements at the rear. The existing garage building would have new windows that would not appear to match those of the main house. There would be an extended patio at the rear having a large barbecue canopy on its northern side and steps down to the new driveway and garage entrance.
15. Whilst the footprint of the buildings would not be increased by a substantial amount, the original house would be increased in scale considerably. It would be raised in height and would be developed effectively over 4 floors, including a loft floor with large rear dormer and, at lower-ground level, a large garage with additional accommodation. The existing patio would be significantly extended at the rear over much of what is now an area of lawn. Excavations to the rear would add to the apparent bulk of the property, and the rear extensions would stretch across the whole of the rear elevation and project a significant distance beyond the existing rear wall.
16. The overall effect would be to substantially increase the visual impact of the property in its plot, within which the design of the original house would be largely subsumed by modern largely glazed/metal elements with flat roofs. This design and the materials used would not be in keeping with the predominant

architectural style of the residential properties in the immediate surrounding area. In addition, the character and historical significance of the property as a whole would be lost, to the detriment of the CA.

17. In the light of the above, I find that the proposed extensions and alterations, including the effect of the excavations at the rear, would dominate the original house. Very little of the original house would remain and that which did remain would be altered in character and appearance such that the basic Georgian style and materials used would effectively be lost, and the new elements would overwhelm the original. Whilst the use of modern designs and materials need not necessarily be out of place at the appeal property or in the immediate surroundings, the scale and nature of the current proposals at Haddon House would be unsympathetic, to the extent that the remaining elements of the house would appear incongruous in the context of the more dominant new building.
18. Although the current house is a reconstructed version of the original building, it would appear that the concept of a Georgian house on the site is of some historical significance. It was a somewhat isolated dwelling, situated in the immediate vicinity of St Johns Church and integral to the wider setting of the church. The existing house retains that nature, albeit now surrounded by more modern dwellings.
19. The current proposals would also involve the removal of a protected Lime tree in the rear garden, close to the existing patio. This is a mature tree that is visible from Holly Hill Road to the south. It is shown on the Character Appraisal map of the CA, along with other trees and hedges around the boundary, as to be retained. The appellant's Arboricultural Survey accepts that it is a Category A tree in good condition. The survey indicates that there is some impact to the root system by virtue of its position close to a nearby retaining wall, but there would not appear to be any damage to the health of the tree or the structure of the wall. There is, therefore, no reason to remove the tree other than to accommodate the proposed development.
20. The appellant contends that the effect of removal of the tree would be mitigated by additional planting around the periphery of the site. However, it would take many years for such trees to attain any significant bulk or visual status. Given the size of the appeal site, it would seem possible to integrate the tree with any extended house that exhibited a suitable design approach. As it stands, it would appear that the potential long term conflict between the protected tree and the proposed built form of the extensions and alterations has not been designed out at the planning stage.
21. The appellant has referred to a number of recent developments in the surrounding area which have used modern designs and materials. I have looked at these examples, almost all of which lie outside of the CA. In all cases the extensions and alterations are based upon design elements existing within the original building and are relatively minor in scale when compared with that of the current proposal at Haddon House. I note the example of 7 Church Street, which does lie within the CA, but this would appear to be virtually a complete rebuild using many design elements from the earlier, relatively modern house. I do not consider these examples to be relevant to the situation at Haddon House, and I have, in any case, treated the current proposal on its own merits.

22. On the basis of the above, I find that the proposed extensions and alterations would be harmful to the character and appearance of the CA. The new development would not respect the character or appearance of the host property or that of the surrounding area and development in terms of size, scale, and architectural design and materials.
23. With regard to the impact of the proposal on the Listed Church to the east, the appeal property is within the setting of the church, both historically and spatially. It is situated at the top of St Johns Hill close to the point where the vehicular access to the church and its car park meets the road. Haddon House in its original form would appear to have been contemporary with the church over a period of time, and the reconstructed house and grounds maintains a similar relationship.
24. However, the appeal property is set well below the level of the church, which is a high point in the village, and the house is set down below the level of the road, such that it is partially hidden by mature boundary planting. There is also a group of mature trees between the church and the appeal property such that there is very little in the way of intervisibility. On this basis the proposed extensions and alterations at Haddon House would, in effect, have minimal impact on views to and from the church itself, and any adverse effects of the proposals on the setting of the church would be extremely limited.

Other Matters

25. The Council's decision notice includes a reason for refusal which states that the applicant has provided insufficient information and failed to demonstrate that the development would not detrimentally affect bats, which are a protected species. The appellant has subsequently provided a bat survey which indicates that there was no evidence of bats using the buildings as a place of shelter and that the extension and alteration of the property would have no impact on bats with regards to roosting. It would appear that any bat activity around the site could be dealt with by way of suitable conditions to protect those bats using the site for purposes other than roosting, and to provide bat boxes for potential roosting.
26. Concern has been expressed by the Highway Authority that the proposed one-way vehicular circulation system through the site, which would involve entry only at the proposed new entrance in the south-western corner of the site and exit only at the existing access point from St Johns Hill, could be compromised if the proposed car lift within the existing garage building were to be rendered out of action for any reason. The car lift would be essential for the one-way system to work. The appellant contends that, in such circumstances the car lift would be repaired as quickly as possible and that, in any case, the possibility of exit via the proposed new entrance could be prevented by use of a suitable condition.
27. In my opinion, there is a very real possibility that the new entrance would be used for exit purposes if there was a queue for the car lift or if it failed to work. Moreover, I consider that it would not be possible to write a suitably worded condition to prevent such an occurrence, nor would it be desirable on safety grounds to prevent cars from leaving the site in any emergency situations. On this basis, I have serious concerns about the suitability of the one-way system using a car lift. I have no information before me to indicate that a two-way access point would, of necessity, be dangerous to highway safety on Holly Hill

Road provided adequate visibility splays were created. This, however, could potentially require removal of a significant additional length of mature boundary hedge which could, in itself, be harmful to the character and appearance of the area.

Conclusion

28. In conclusion, I find that the proposal, by reason of its scale, design and impact on a protected tree, would be harmful to the character and appearance of the CA. In addition, it would be harmful to the setting of the nearby Listed Church, albeit to a very limited extent. The harm to the heritage assets would be less than substantial, but there would not appear to be any public benefits to outweigh this harm. The proposal would, therefore, conflict with policies BE1, BE2, CR3, CR14 and NR4 of the LP; with policy H3 of the NP; and with provisions of the National Planning Policy Framework. Accordingly, I dismiss this appeal.

J D Westbrook

INSPECTOR