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# Appeal Decision

Site visit made on 15 December 2015

**by Gareth Wildgoose BSc (Hons) MSc MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 1<sup>st</sup> February 2016**

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**Appeal Ref: APP/L3245/W/15/3132669**

**Land adjoining 1B Racecourse Avenue, Monkmoor, Shrewsbury, Shropshire, SY2 5BU**

- 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 Sav Marneros against the decision of Shropshire Council.
  - The application Ref 15/01382/FUL, dated 25 March 2015, was refused by notice dated 17 July 2015.
  - The development proposed is described as "erection of a terrace house adjoining 1B Racecourse Avenue, Monkmoor".
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. The Shropshire Site Allocations and Management of Development Plan (SAMDev) was adopted on the 17 December 2015 which was after the Council issued its decision to refuse planning permission and the submission of this appeal. All parties have had the opportunity to comment on the change in status of this document in terms of the relevance to their case.

## Main Issue

3. The main issue is the effect on the character and appearance of the surrounding area.

## Reasons

4. Racecourse Avenue is a residential street comprising a mix of semi-detached and terraced properties, with low front boundary treatments and intermittent landscaping. The properties have a range of frontage widths and some variation between the use of brick and render, but are broadly consistent in terms of their hipped roof design, height and build lines. The general harmony of appearance in the street scene is only interrupted by the presence of single storey garages immediately to the side of the appeal site. These are located within the curtilages of Nos. 40 and 42 Monkmoor Road respectively and are accessed from Racecourse Avenue.
  5. The appeal site is a narrow plot adjacent to the recently constructed 1B Racecourse Avenue which extended the previous semi-detached properties of Nos. 1A and 3 Racecourse Avenue into a row of three terraced properties. The terrace currently has a balanced appearance as the hipped roof design and
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- build lines were maintained by No 1B. The appeal proposal comprises the erection of a one bedroom terraced dwelling to the side of No 1B. The remainder of the appeal site would comprise a front and rear garden area, together with a shared parking area to the frontage with No 1B.
6. It is common ground between the main parties that the appeal site is a sustainable location for new dwellings and the principle of development is therefore consistent with Policies CS1 and CS2 of the Shropshire Local Development Framework Core Strategy (CS), adopted March 2011. However, the appeal proposal should be considered relative to compliance with other relevant policies including the sustainable design and development principles identified in CS Policy CS6 and SAMDev Policy MD2.
  7. The position and layout of the proposed dwelling is influenced by the narrow width and tapered depth of its plot, together with the canopy spread of a Beech Tree located adjacent to the front boundary of the appeal site. To account for the shape of the plot, prevent impact to the tree and provide off street parking, the development would incorporate a part set back to its frontage and reduced depth. The resultant design would create two hipped roof forms of different height and width that would be lower than the ridge height of the roof of No 1B and the remaining terrace.
  8. The proposed dwelling would be accessed from the side and therefore would have the appearance of an extension to No 1B rather than an independent dwelling when viewed from the front. The overall width of the proposed dwelling would be comparable to No 1B and the reduced height of the roof forms would reduce its overall massing. However, the different width of the two parts of the stepped frontage of the dwelling, together with the varied height and profile of the hipped roof forms would be viewed as a complicated, incongruous and overly cramped addition to the adjoining terraced properties. As a consequence, the appeal proposal would disrupt the existing balanced appearance of the terrace which is a characteristic feature of properties in the street scene.
  9. The prominence of the development in the street scene would be reduced when viewed in the context of the different roof forms of the adjacent garages and screening offered by the Beech tree at the side. However, the harmful relationship to the terraced properties would be evident when viewed from the front of the property on Racecourse Avenue. The proposal would therefore significantly harm the character and appearance of the terrace and the surrounding area.
  10. The addition of hardstanding to the front of the appeal site and No 1B would create off street parking spaces for the dwellings. The dwellings on Racecourse Avenue generally have driveways to the side. However, I observed examples of more extensive areas of hardstanding to frontages in the local area. Furthermore, the similarity of arrangements proposed to a recently approved scheme at No 6 was also brought to my attention. I therefore consider that a limited area of hardstanding to the front of the site for off street parking and parking of vehicles would not appear out of place. Nevertheless, the absence of concern relating to the proposed hardstanding does not outweigh the harm otherwise identified.
  11. The appellant has provided evidence of examples of other properties nearby on Crowmere Road which comprise of smaller internal floor areas and garden

amenity space than the appeal proposal. However, it is apparent from the evidence before me and observations during my visit that these examples do not replicate the circumstances of this case or justify the harm identified. The harm arising from the proposal would relate to its design and relationship to the character and appearance of its surroundings, rather than the effect on living conditions of future occupants in terms of living space and garden area created.

12. I conclude that the proposed development would significantly harm the character and appearance of the surrounding area due to its incompatible design. The proposal would, therefore, conflict with the requirements of the relevant Policy CS6 of the CS and Policy MD2 of the SAMDev which taken together seek to ensure new development is of a high quality and responds appropriately to the architectural design, form and layout of existing development and the streetscape. These policies are consistent with those of the National Planning Policy Framework.

### **Other Matters**

13. I note that the Council raised no concerns with respect to highway safety, the effect on living conditions of occupiers of neighbouring properties and impact upon the Beech tree, given any related effects could be resolved by condition. Based on the evidence before me including the submitted plans, together with observations during my site visit, I have no reason to take a different view.
14. A unilateral undertaking has been provided by the appellant in seeking to comply with Policy CS11 of the CS through a financial contribution to affordable housing. In this respect, I note the Council's concerns relating to its effectiveness, including errors and omissions relating to the obligations upon the owner. Furthermore, as the unilateral undertaking has not been signed and executed, I give limited weight in this decision to its presence. I do not propose to pursue this matter any further as I intend to dismiss this appeal based upon the substantive issue of the character and appearance of the surrounding area.
15. The potential benefit of the proposal as a starter home and the contribution it would make to balancing the size, type and tenure of local housing stock are given positive weight in this decision. I have also taken into account the absence of local opposition, together with support from the Town Council and a Local Member. Nevertheless, these matters and the scale of benefits relating to a single dwelling do not justify the identified harm to the character and appearance of the surrounding area which would arise from the development.
16. The appellant has expressed concern relating to the Council's approach in considering the planning application. However, this matter has no effect on the planning merits of the proposal or the outcome of this appeal.

### **Conclusion**

17. For the reasons given above and taking all other matters into consideration, I conclude that this appeal should be dismissed.

*Gareth Wildgoose*

INSPECTOR