
Appeal Decision

Site visit made on 25 March 2019

by Alexander Walker MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th April 2019

Appeal Ref: APP/L3245/W/18/3219326

The Old and New Stations, Leaton Hall Junction B5067 to Station House Junction, Bomere Heath, Shrewsbury SY4 3AP

- 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 Lord Ambrose Colan Langley-Ingress against the decision of Shropshire Council.
 - The application Ref 18/00543/FUL, dated 31 January 2018, was refused by notice dated 27 September 2018.
 - The development proposed is the change of use and extension of existing building to provide a single dwelling, with associated access and curtilage arrangement.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the non-designated heritage asset and the character and appearance of the area.

Reasons

Non-heritage Asset

3. The appeal building is a waiting room building known as 'The New Station', with 'The Old Station' being the station house to the south. Together, these formed part of the historical Leaton railway station. The building is of red brick construction with blue brick quoins and window surrounds with prominent decorative brick chimneys. Due to its modest size and simple form, the building is clearly read as being subservient to the larger Old Station. This also reflects the original functional relationship between the two buildings. There is no dispute between the parties that the building is a non-designated heritage asset. I consider that its significance derives from the character and appearance of the building and its historic association as a railway station facility.
4. The proposal includes the construction of a two-storey extension on the north west elevation of the building and the demolition of an existing lean-to concrete block extension and its replacement with a larger extension on the north east elevation.
5. The footprint of the original building is approximately 66.2 sqm. The existing extension is approximately 39.5 sqm. The proposal would result in the building

having a footprint of approximately 215 sqm, an increase of approximately 109% of the existing footprint, with a further 73 sqm floorspace at first floor. In addition, the ridge height of the two-storey element would be approximately 0.8m higher than the highest part of the existing building.

6. Consequently, the proposed extensions would substantially increase the bulk of the building, which would fail to reflect its modest size. Both the two-storey element and the north east element would dominate the building and fail to appear as subservient additions. Moreover, the extensions would be prominent when viewed from all sides of the building and thus erode its original form.
7. In addition, the fenestration detailing of the proposal fails to respect the proportions and solid to void ratio of the existing building. In particular the large garage door and French doors in the north east elevation; the large expanse of glazing in the south east elevation, including a Juliet balcony; the large expanse of glazing in the south west elevation of the two-storey element; and, the two-storey narrow window, the single pane small window, the patio door and part sunlight/part window elements in the north west elevation. Overall, the disjointed and incongruous fenestration details would significantly detract from the design of the existing building.
8. I note the conclusions of the Heritage Impact Assessment carried out by Richard K Morriss & Associates, dated September 2018, which note that the proposal would result in 'minor 'harm'.' However, for the reasons outlined above, I consider that the harm to the building would be significant rather than simply 'minor'. Whilst the significance of the building may have been reduced over the years, it has not been entirely lost.
9. I find therefore that the proposal would significantly harm the significance of the non-designated heritage asset. As such, it would fail to comply with Policies CS6 and CS17 of the Shropshire Core Strategy (CS) 2011, which seek to ensure that development protects, restores, conserves and enhances the built and historic environment. It would also fail to comply with Policies MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan 2015, which seek to ensure that development protects the historic context and character of heritage assets and their significance, including non-designated heritage assets. Furthermore, it would fail to comply with the design and historical environment objectives of the National Planning Policy Framework (the Framework).
10. In their reasons for refusal, the Council also rely on their Type and Affordability of Housing Supplementary Planning Document (SPD). However, as I am dismissing the appeal, it is not necessary to consider planning obligations. Accordingly, I find no conflict with the SPD.

Character and appearance of the area

11. The appeal property is located within the open countryside and lies adjacent to a railway line. To the north east is a cricket field and on the opposite side of the railway track are open fields. Whilst to the south are industrial buildings, these are on the opposite side of the road and therefore, due to this separation, I consider that the appeal site is read in the context of the surrounding rural setting rather than the industrial buildings. I have also had regard to the railway line. However, due to its low profile it is not readily visible within the landscape and does not detract from the rural setting.

12. Although set back from the road serving the site, due to the openness of the area, it is clearly visible on approach to the site from the west and is a prominent feature within the local landscape.
13. Due to the prominence of the building within the local landscape, the proposed extensions would diminish the historical railway context of the site. Furthermore, its resultant bulk would create a significantly larger building that would erode the openness of the site and the surrounding area and appear as an incongruous feature within the landscape. Whilst only the front façade of the building would be readily visible from the road, the rear would be clearly visible from the adjacent cricket ground. In any event, the bulk of the two-storey element alone would appear as an incongruous feature.
14. The appellant states that the residential development that is currently under construction in Bomere Heath would eventually bound the football pitch and cricket ground to the north of the site. However, the openness of these sports facilities would create a transition between the rural setting, within which the appeal site is located, and the urban form of the settlement. Therefore, even when the development under construction is completed, I do not consider that the proposal's significantly harmful effect on the character and appearance of the area would be reduced to such an extent that it would be acceptable.
15. I find therefore that the proposal would significantly harm the character and appearance of the area contrary to Policies CS6 and CS17 of the CS and Policies DM2 of the SAMDev, which, amongst other things, ensure that development protects, restores, conserves and enhances the natural and built environment, and contributes to and respects locally distinctive or valued character. It would also fail to accord with the design objectives of the Framework.
16. In their third reason for refusal, the Council rely on Policy MD13 of the SAMDev. However, this relates to heritage assets. Notwithstanding the building itself, there is no evidence before me that the area in which the appeal site is located forms part of a heritage asset. Therefore, I do not find that this policy is relevant to this main issue.

Planning Balance

17. The appellant argues that that as the Local Plan is currently under review it is therefore not up to date and as such the presumption in favour of sustainable development applies. However, the review is a legal requirement¹ required for all local plans. I do not consider that this review makes the relevant development plan policies out of date for the purposes of paragraph 11 of the Framework. Therefore, paragraph 11d of the Framework is not engaged.
18. Paragraph 197 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

¹ Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012

19. The proposal would reuse the heritage asset and provide suitable accommodation for disabled people and I acknowledge that national policy supports inclusive design. Also, the site would be accessible to the village via the newly constructed nearby footpath, although there is no evidence of any formal rights of access across the adjacent cricket pitch. I have also had regard to the potential for the building to fall into further disrepair in the event that the appeal is dismissed.
20. The appellant contends that a smaller scheme would not be viable. However, there is no evidence before me to substantiate that there are no other suitable schemes that would not be harmful to the non-heritage asset. Accordingly, I attribute the matter of viability limited weight.
21. The proposal would provide economic benefits by making a small contribution to the local economy. Furthermore, it would make a positive contribution to the social dimension of sustainable development by way of providing accessible accommodation for disabled users in an accessible location. Individually or cumulatively, I do not consider that these public benefits outweigh the significant harm the proposal would have to the significance of the non-heritage asset and the character and appearance of the area. As such, I do not find that the proposal represents sustainable development.

Conclusion

22. For the reasons given above the appeal should be dismissed.

Alexander Walker

INSPECTOR