



Appeal Decision

Site visit made on 22 January 2018

by **Gareth W Thomas BSc(Hons) MSc(Dist) PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11th May 2018

Appeal Ref: APP/L3245/W/17/3186632

Talisman, Golf House Lane, Prees Heath, Whitchurch SY13 3JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Chris Jones against the decision of Shropshire Council.
 - The application Ref 17/01870/OUT, dated 22 April 2017, was refused by notice dated 1 June 2017.
 - The development proposed is for the erection of 1No. dwelling (all matters reserved).
-

Decision

1. The appeal is allowed and planning permission is granted for the erection of 1No. dwelling at Talisman, Golf House Lane, Prees Heath, Whitchurch SY13 3JR in accordance with the terms of the application, Ref 17/01870/OUT, dated 22 April 2017, subject to the following conditions:
 - 1) Details of the access, appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
 - 2) Application for approval of the reserved matters shall be made to the local planning authority not later than 3 years from the date of this permission.
 - 3) The development hereby permitted shall take place not later than 2 years from the date of approval of the last of the reserved matters to be approved.
 - 4) The development hereby permitted shall be carried out in accordance with the following approved plan: HS010/00 Rev A.
 - 5) No development shall take place until details for the parking of vehicles have been submitted to and approved by the local planning authority. The approved scheme shall be laid out and surfaced prior to the first occupation of the development and thereafter be kept clear and maintained at all times for that purpose.

Procedural matter

2. The appeal is submitted in outline with all matters reserved for future approval. I have considered the appeal on this basis. A sketch scheme showing proposed

plot arrangements and street scene have been submitted for illustration purposes. I have treated these drawings as illustrative material only.

3. A revised location plan showing a widened frontage area onto the Golf House Lane accompanied the appeal documents. I have considered the appeal on the basis of this revised plan; however as this plan formed part of the appeal particulars, I do not consider that the Council's position has been prejudiced by such consideration.

Main Issue

4. The main issue in this appeal is the effect of the development on the character and appearance of the area.

Reasons

5. The appeal site comprises part of the side garden area to the property known as Talisman, a detached bungalow situated in an extensive plot within the settlement of Prees Heath. The site is bounded by residential development on its northern, southern and western sides with commercial properties to the east. Golf House Lane comprises a loop road that does not have a bound surface but discharges onto the A49 to the east and the Class III Tilstock Lane to the north. The loop road is a private lane that forms a restricted byway serving a large number of properties within the settlement area.
6. It is recognised that the existing pattern of development is one of a mix of single and two storey dwellings situated in generally spacious plots. However, from my observations at the site visit, Talisman is especially spacious and the space that would remain for the plot would be comparable in size to other dwellings in the area.
7. I acknowledge that adopted policies CS6 of the Shropshire Core Strategy (CS) and MD2 of the Site Allocations and Management of Development (SAMDev) Plan amongst other things seeks to ensure that the design of new developments respect and enhance local distinctiveness and responds appropriately to local context in terms of form and layout. However, the policies do not expressly exclude developments on existing gardens provided the character is maintained. In my view there is sufficient curtilage such that the development of this parcel of land would not have a cramped appearance or represent an overdevelopment of the site. I therefore consider that a suitably designed housing scheme comprising a single dwelling would be accommodated without causing unacceptable harm to the character and appearance of the area. Neither do I consider that the proposed development would be overbearing or create an unneighbourly sense of enclosure nor would it dominate the outlook from the adjoining dwelling.
8. Consequently I consider that the proposed development would comply with policies CS6 of the CS and MD2 of the SAMDev Plan. These policies are consistent with section 7 of the National Planning Policy Framework that seeks to ensure developments achieve good design that contribute positively to making places better for people.

Conditions

9. In addition to the standard outline conditions, the Council has suggested that two further conditions be imposed. I have considered the suggested conditions

in the light of the advice contained in the Planning Practice Guidance. Whilst accepting that the provision of parking facilities within the site is necessary in the interests of highway safety and amenity, I do not consider that a condition withdrawing permitted development rights would serve a useful purpose in planning terms.

Conclusion

10. For the above reasons and having regard to all other matters raised, this appeal is allowed.

Gareth W Thomas

INSPECTOR