



Appeal Decision

Site visit made on 3 June 2019

by Beverley Wilders BA (Hons) PgDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11th June 2019

Appeal Ref: APP/L3245/W/19/3220269

Land adjoining 10 Walsham Avenue, Whittington SY11 4DZ

- 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 Mrs W M Jones against the decision of Shropshire Council.
- The application Ref 18/02122/FUL, dated 8 May 2018, was refused by notice dated 12 July 2018.
- The development proposed is erection of 1 detached bungalow.

Decision

1. The appeal is dismissed.

Procedural Matter

2. An updated revised National Planning Policy Framework (the Framework) was published on 19 February 2019. As this pre-dates the determination of the appeal, in reaching my decision I have had regard to the updated revised Framework. Although the appeal was submitted before it was published, the main parties have had the opportunity to comment on the updated revised Framework.

Main Issue

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

Reasons

4. The appeal site comprises the side garden of a semi-detached bungalow positioned towards the end of a cul-de-sac comprising similar properties. It is an irregular shape due to the presence of the turning head for the cul-de-sac at the front of the appeal site. At the time of my visit the majority of the site appeared to have been separated from No 10 and was enclosed at the sides and rear by a solid timber fence.
5. The proposal includes the demolition of the existing side garage at No 10 and also a significant reduction in the size of the garden of the host building with the resultant plot size of No 10 being significantly smaller than most other properties within the cul-de-sac. Whilst the plot size of the proposed dwelling appears to be slightly larger than that proposed for No 10, its irregular shape together with the footprint and positioning of the proposed dwelling and off road parking spaces means that built development would occupy the majority

of the plot with a very modest sized L-shaped amenity area positioned to the side and rear of the proposed dwelling.

6. Though I note that the design of the proposed dwelling is sympathetic to and reflective of surrounding properties, nevertheless the size and particular shape of the appeal site together with the proposed footprint of the dwelling and retained plot size of No 10 means that the proposal would have a cramped and awkward appearance. This would be discordant with and harmful to the generally spacious character of the cul-de-sac.
7. My attention has been drawn by the appellant to the increase in density towards the end of the cul-de-sac and the plot size of 5 Walsham Avenue, however neither these factors nor the fact that the dwelling would be set back and separated from No 10 would adequately mitigate the harm to character and appearance which would result from the proposal.
8. Taking the above matters into consideration, I conclude that the proposal would have a significant adverse effect on the character and appearance of the area. It is therefore contrary to policies MD1, MD2 and MD3 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan adopted 17 December 2015, Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy March 2011 and to relevant paragraphs of the Framework. These policies seek, amongst other things, to support sustainable development including housing and to ensure that proposals are of a high quality design responding to and respectful of existing development.

Other Matters

9. In reaching my decision I note that an attempt has been made to amend the proposal to overcome the Council's previous concerns and that pre-application advice was sought from the Council. However, for the reasons stated, the proposal remains unacceptable.
10. I also note that the existing garden of No 10 is too large for the needs of the current occupier and that the proposal would overcome maintenance issues for her. The proposal would also provide an additional modest sized single storey dwelling in an accessible location and would contribute to the supply of housing in the area, though any economic and social benefits of the proposal would be limited due to the fact that only one dwelling is proposed. However, any benefits of the proposal would not outweigh the harm identified.

Conclusion

11. For the above reasons and having regard to all matters raised, I conclude that the appeal should be dismissed.

Beverley Wilders

INSPECTOR