



Appeal Decision

Site visit made on 27 June 2019

by Julie Dale Clark BA (Hons) DipTP MCD DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th September 2019

Appeal Ref: APP/L3245/D/19/3226633

Woodside Cottage, Pen-Y-Bryn Junction To Junction East Of The Beeches, Coed-Yr-Allt, St Martins, SY11 3DU

- 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 & Mrs Paul Hughes against the decision of Shropshire Council.
 - The application Ref 18/05533/FUL, dated 22 November 2018, was refused by notice dated 25 January 2019.
 - The development proposed is proposed enlargement of family room and study at ground floor, forming bedroom over and minor alterations.
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Procedural Matters

1. The decision notice describes the proposal as the erection of a two storey extension including balcony on north elevation and minor alterations and the site location as being Woodside Cottage, Coed-yr-allt, St Martin's, Oswestry. These are more succinct descriptions and so I shall refer to them rather than those detailed above and taken from the application form.

Decision

2. The appeal is allowed and planning permission is granted for the erection of a two storey extension including balcony on north elevation and minor alterations at Woodside Cottage, Coed-yr-allt, St Martin's, Oswestry SY11 3DU in accordance with the terms of the application, Ref 18/05533/FUL, dated 22 November 2018, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) No development shall take place until details of the materials to be used in the construction of external surfaces of the proposal hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 - 3) The development hereby permitted shall be carried out in accordance with the following approved plans:
 - *21018/03MAC; 21018/04MAC; 21018/05MAC; and 21018/06MAC.*

Main Issue

3. I consider that the main issue is the effect of the proposal on the character and appearance of the area and the existing/original dwelling.

Reasons

4. The appeal site is a detached house in a rural area. It has previously been extended. The proposal would enlarge and re-build a ground floor extension and erect a new first floor above. There is no question that the proposal, together with previous extensions, would alter considerably what the Council refer to as originally a two-up two-down cottage.
5. The National Planning Policy Framework¹ establishes the importance of design and sustainability and Core Strategy² CS6 sets out principles for sustainable design and development. Further to Policy CS6, SAMDev Plan Policy MD2³ establishes that for a development proposal to be acceptable it is required, amongst other things, to respond appropriately to the form and layout of existing development and reflect locally characteristic architectural design and details. Core Strategy Policy CS17 indicates that the Council will protect and enhance the diversity, high quality and local character of Shropshire's natural, built and historic environment.
6. The Council's SPD⁴ indicates the Council's aspiration that all development contributes to a sustainable mix of dwelling types, sizes and tenure. It refers to its concern about the size of dwellings in the countryside and the market trend to provide larger, more expensive dwellings that exclude the less well-off, including those that need to live and work in rural areas. The Council acknowledge that this can be partly addressed through the provision of affordable rural dwellings although it is also appropriate to maintain and provide an appropriate stock of smaller, lower cost market dwellings.
7. In controlling the size of rural dwellings, the SPD also notes that consideration should be given to the visual impact of large buildings and the need to ensure that the development is sympathetic to the character and appearance of the original building.
8. The dwelling has previously been altered and extended beyond what could be assumed to be the original dwelling. It is already a substantial sized dwelling and, as it stands now, it is unlikely that it would be considered as a small, low cost market rural dwelling. Notwithstanding that the proposal would enlarge the dwelling further, as I do not consider it likely that it currently falls into this category, my main consideration is the visual impact on the character and appearance of the area.
9. The proposal would refurbish the property and whilst it would enlarge it further than previous enlargements, it would modernise it. The first floor extension would incorporate a considerable amount of glazing which would be designed to take advantage of the rural setting and countryside views. Whilst substantial in size, I do not consider that it would impinge on the character or appearance of the area to a degree as to cause harm.
10. The proposal would be out of character with the original building but I do not consider that the existing building bears much resemblance to its origins.

¹ Ministry of Housing, Communities & Local Government National Planning Policy Framework, July 2018 (the Framework).

² Shropshire Council Shropshire Local Development Framework : Adopted Core Strategy March 2011.

³ Shropshire Council Site Allocations and Management of Development (SAMDev) Plan. Adopted Plan 17th December 2015.

⁴ Shropshire Council Shropshire Local Development Framework Type and Affordability of Housing Supplementary Planning Document (SPD), Adopted 12 September 2012.

Therefore, the extension and alterations would not therefore justify withholding permission on this basis. In terms of design and visual impact I do not consider that the proposal would conflict with the objectives of the policies referred to. Nor do I consider that the size and affordability of Woodside Cottage, either as it stands or as proposed, would undermine the Council's aspirations for a mix of affordable dwellings including such provision in the countryside.

11. Suggested conditions are referred to in the Questionnaire in relation to matching materials and carrying out the development in accordance with the approved plans. I have considered these in the light of the Planning Practice Guidance⁵. The existing dwelling is rendered but the application forms and the plans indicate brick. I therefore propose that the finished materials should be agreed between the Council and the appellants in order to achieve a satisfactory external appearance. Otherwise as set out in this decision and conditions, it is necessary that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of proper planning.
12. I have considered all other matters raised but none alter my decision. I do not consider that the proposal would conflict with the aims or objectives of the Framework, the Council's policies or the SPD. The appeal therefore is allowed.

J D Clark

INSPECTOR

⁵ Planning Practice Guidance, Published 6 March 2014 Last Updated 23 July 2019.