



Appeal Decision

Site visit made on 19 November 2019 by G Sibley MPLAN MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2019

Appeal Ref: APP/L3245/D/19/3237383

5 Cape Street, Broseley TF12 5NQ

- 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 John Taylor against the decision of Shropshire Council.
 - The application Ref: 18/05657/FUL, dated 3 December 2018, was refused by notice dated 30 July 2019.
 - The development proposed is described on the application form as: Retrospective planning application for greenhouse to front of house.
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Decision

1. The appeal is allowed, and planning permission is granted for an application under 73A of the Town and Country Planning Act 1990 for the erection of a front extension at 5 Cape Street, Broseley TF12 5NQ in accordance with the terms of the application Ref: 18/05657/FUL, dated 3 December 2018, and the plans numbered 1879/01 and 1879/02 Rev A.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The development was described on the application form in the manner set out in the banner heading above. The Council gave a different description on the decision notice, referring to it as an, "Application under section 73A of the Town and Country Planning Act 1990 for the erection of a front extension". The appellant used the Council's description on the appeal form. The structure is more substantial than a greenhouse and the "erection of a front extension" more accurately describes the proposal. Therefore, I have used that description in the decision above. The extension has already been constructed and as such I shall proceed on the basis that the development has already been implemented.

Main Issue

4. The effect of the development on the character and appearance of the host dwelling and linked to that whether the development preserves or enhances the character or appearance of the Broseley Conservation Area (CA).

Reasons for the Recommendation

5. The Broseley Conservation Area (CA) covers the historic core of the settlement. The settlement came to prominence during the industrial revolution and many of the buildings in the settlement were built during the Georgian era. This established a complex irregular pattern of development which is characteristic of a large part of Broseley, with a mixture of large houses, commercial buildings and small cottages, detached, in groups, rows, or terraces; all mixed together in a haphazard fashion. That mix of formal and informal buildings of varying sizes and design adds to the special interest of the CA.
6. Cape Street is located within the CA and follows the pattern of development described above, with a mix of large and small buildings that have been grouped together with no uniformity in design style. No.5 and the two dwellings next to it are relatively small cottages whilst the other dwellings in the street scene are typically larger more grandiose dwellings.
7. The single storey extension is located forward on the main elevation of the building and sits behind the boundary wall that faces Cape Street which is around 2m tall. The wall has already been granted planning permission (Council Ref: 16/02992/FUL). The wall turns into and connects to the host dwelling and the extension is located behind this wall. The dwellings within the street scene have a varied building line, although no.5 is in a run of three dwellings that share a common building line and this extension is set forward of this.
8. The extension is single storey and its size is relative to the host dwelling and as such it does appear subordinate to it. The materials chosen relate well to the host dwelling and are appropriate in the CA. The extension is located forward of the main elevation and this does not match the built form of the host dwelling, which is a wide but narrow dwelling. Nevertheless, because the extension is located behind the wall it is only partially visible from the public domain and as such it has a very limited effect upon the character and appearance of the host dwelling and the street scene. The wall, which has been constructed in line with the planning permission granted by the Council, remains the dominant feature to the front of the property. Therefore, having regard to the context of the site and the effect of the previously permitted wall, the proposal preserves the character and appearance of the CA.
9. Whilst the extension is located forward of the front elevation, due to its size and location the proposal does not harm the character or appearance of the host dwelling. Consequently, the proposal preserves the character and appearance of the CA. Therefore, the development complies with policy CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy and policy MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan.

Conditions

10. The Council have suggested a single condition which requires the development to be built in accordance with the submitted plans. This condition is not necessary because the development has already been carried out and I have therefore not included it.

Conclusion and Recommendation

11. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

12. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I agree that the appeal should be allowed.

Chris Preston

INSPECTOR