



Appeal Decision

Site Visit made on 8 June 2021

by Samuel Watson BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th June 2021

Appeal Ref: APP/L3245/D/21/3270569 23 Hunters Gate, Much Wenlock TF13 6BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
 - The appeal is made by Mr Rikki Purchase against the decision of Shropshire Council.
 - The application Ref 20/05182/BHE, dated 7 December 2020, was refused by notice dated 17 February 2021.
 - The development proposed is described as an application for prior approval under Part 1, Class AA of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the one additional storey and roof accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description used in the header above has been taken from the Council's decision notice as it more accurately reflects the proposal than that included on the application form. I note also that the Appellant has used this description in their appeal form.
3. As a prior approval there are two stages to assessment, the first being eligibility. The Council conclude that the proposal is eligible to be considered under the prior approval process and have not raised any conflict with the requirements of AA.1 (a)-(k) as set out in the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended (GPDO)). I have no evidence before me to conclude differently so, in that regard, the focus of this appeal will be the second stage of assessment – the prior approval merits assessment.

Main Issue

4. The main issue in this case is the effect of the proposal on the external appearance of the dwellinghouse.

Reasons

5. The GPDO sets out clearly the matters against which a proposal can be assessed. In this case the only issue raised by the Council is in relation to appearance, which is covered by AA.2 (3)(a)(ii). This section assesses the external appearance of the dwelling house, including the design and architectural features of (aa) the principle elevation of the dwellinghouse, and (bb) any side elevation of the dwellinghouse that fronts a highway. As a side

- elevation would front a highway my consideration is against both parts, (aa) and (bb).
6. Notwithstanding the Council's concern regarding visual prominence, as set out above, the GPDO wording suggests a relatively narrow assessment as to the external appearance of the dwellinghouse itself, including the design and architectural features. I have therefore focused on these issues in my assessment.
 7. The host dwelling is a double-fronted, two-storey property set back from the road at the front of the house by a shallow garden. To one side it abuts up against the road, while to the other side it is attached to a neighbouring dwelling which is set back from the front elevation of the host dwelling. the proposal would add two additional floors, one of which would be within the roof.
 8. By way of its significant additional height relative to the existing building, the proposed extension would unbalance the proportions of the host dwelling. This would be exacerbated by the fenestration on the front elevation, including the dormer windows, which would create two 'columns' of windows either side of the central door and mock windows. These would result in a sense of verticality which is not characteristic of the low and wide existing building. Setting in the side elevation would leave a small section of roof at the existing height which would not relate well to either the host or neighbouring dwellings. Moreover, the extension would appear off-centre and an incongruous feature against the symmetrical design of the existing front elevation.
 9. However, the side elevation of the host dwelling which fronts Hunters Gate would not be harmed by the extension which would be sympathetic to the plain appearance of the existing elevation on this side. Furthermore, I note that the materials proposed would be similar to those of the host dwelling. Whilst this would help protect the appearance of the host dwelling, they would not be sufficient to outweigh the harm identified above.
 10. I find that overall, harm would still occur to the external appearance of the front elevation of the dwellinghouse as a result of the proposed extension. Whilst AA.3 (12) requires the Council to have regard to the National Planning Policy Framework (the Framework), in so far as it is relevant, the Council have not directly referenced it. However, from the evidence before me I find the proposal conflicts with the overarching high-quality design aims of section 12 of the Framework and in particular Paragraph 130 which recommends the refusal of development which is of a poor design.
 11. The Appellant has also referred to a number of paragraphs within the Framework, including Paragraphs 2, 3, 7, 8 and 61, these relate to how the Framework should be used, sustainability and the housing needs of different groups. These Paragraphs are not directly relevant to the main issue around which this appeal revolves, appearance. Therefore, in line with AA.3 (12) of the GPDO these have not been determinative in my assessment.
 12. Policies of the Council's development plan may also be relevant as evidence to support a scheme. However, although Policy CS6 of the Shropshire Council Core Strategy and Policies GQD1 and GQD2 of the Much Wenlock Neighbourhood Plan (2013-26), as quoted by the appellant, appear to be

relevant they do not support the proposal as they require, amongst other things, high-quality design.

Other Matters

13. The Appellant has raised that the extension is needed to provide additional living accommodation for him and his family. I note that the provision of additional space is likely to be of benefit to the Appellant and his family, especially with regard to the Coronavirus lockdowns and need for homework. However, this benefit does not outweigh the harm identified above and, moreover, Class AA does not provide an opportunity to weigh such matters against an identified harm.
14. I note the concerns raised by neighbouring occupiers regarding harm to their living conditions as a result of the proposed extension. However, as the appeal did not turn on this issue and I am dismissing it, I find it is not necessary to consider this matter further. Nevertheless, even if the proposal did not harm living conditions, this is not a benefit of the development and would not therefore outweigh the harm identified above.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR