



## Appeal Decision

Site visit made on 21 January 2022

**by Martin H Seddon BSc MPhil DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 08 FEBRUARY 2022**

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**Appeal Ref: APP/L3245/D/21/3287506**

**Ashleigh, B5063 from South of Norwood to Ellesmere Road end of, Horton, Wem SY4 5ND**

- 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 and Mrs Lane against the decision of Shropshire Council.
  - The application Ref: 21/03747/FUL, dated 29 July 2021, was refused by notice dated 23 September 2021.
  - The development proposed is erection of garage/store with store and games room above.
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### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The application form described the development as a proposed garage. However, I have determined this appeal based on the Council's description of development as it is a more accurate specification.

### Main Issue

3. The main issue in this appeal is the effect of the proposal on the character and appearance of the appeal site and street scene.

### Reasons

4. Ashleigh was originally a single storey dwelling which has been extended, including additional rooms to the first floor in the roof space. It is in a rural location, within the open countryside, and has a large garden. Permission was granted in June 2021 for a 3-bay garage and store building to be located in the southern corner of the site towards the end of the existing driveway.
5. The proposed garage/store would be sited in a similar position to the previously approved proposal. It would have four bays, two of which would be open fronted. There would be an external staircase at one side. The footprint of the building would measure around 12 m wide, and 7 m deep compared to 9 m wide and 6 m deep for the 3-bay garage and store building which has been granted permission. Its height would be approximately 6.1 m, similar to that of the house, and compared to 4.5 m for the permitted building.
6. The appeal building would be constructed with an oak frame and timber weatherboarding, as a high-quality sustainable design. The roof would be

finished with slate. The materials would be similar to those proposed in the already permitted 3-bay garage and store building and would be acceptable. However, the scale and massing of the proposed building would represent a significant increase compared to the 3-bay garage and store building and would result in it not appearing subservient to the house and harmful to the character and appearance of the appeal site.

7. The garage/store would be set back from the road and partly screened from view by existing tree and hedge cover. Nevertheless, because of its width, height and scale the building would still appear prominent and harmful to the character and appearance of the street scene when viewed from the road and down the driveway for the house. Its visual impact would be greater than the 3-bay garage and store building already granted permission.
8. The proposal would therefore conflict with Shropshire Local Development Framework Core Strategy policy CS6 which, amongst other things, seeks to ensure that all development is appropriate in scale and design taking into account the local context and character. In view of its failure to appear subordinate to the existing development it would also conflict with Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan.

### **Other Matters**

9. There is a large tree on land immediately to the rear of the proposed site for the garage/store. Whether or not the tree is protected as stated in the Planning Officer's delegated report, it was not included as a reason for refusing the application. The appellant advises me of inaccuracies in the report concerning references to the Town Council rather than the Parish Council and belief that the delegated decision was incorrectly applied. However, procedural issues are not a matter for my determination in this appeal.
10. The proposed garage/store would be physically separate from the house, but I have no evidence to demonstrate that it would not be used as an ancillary building.
11. The proposal had the support of Wem Parish Council, subject to Council tree officer's recommendations and a condition restricting the building to personal use. However, I consider that these matters would not outweigh the harm to the character and appearance of the site and street scene which I have identified.

### **Conclusion**

12. I have taken all other matters raised into account, including the lack of objections from neighbours. For the reasons given above, I conclude that the appeal should be dismissed.

*Martin H Seddon*

INSPECTOR