
Appeal Decision

Site visit made on 7 February 2022

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 February 2022

Appeal Ref: APP/L3245/D/21/3278778

Brook House, Wem Lane, Soulton, Wem, SY4 5RT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr and Mrs C Duell against the decision of Shropshire Council.
 - The application Ref 21/02220/VAR, dated 29 April 2021, was refused by notice dated 29 June 2021.
 - The application sought planning permission for the erection of a two storey and single storey side extension following demolition of existing outbuilding without complying with a condition attached to planning permission Ref 20/04053/FUL, dated 19 January 2021.
 - The condition in dispute is No 2 which states that: "The development shall be carried out strictly in accordance with the approved plans and drawings."
 - The reason given for the condition is: "For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details."
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The disputed condition does not actually list the plans and drawings to which the proposal has to accord, but they are listed later on the decision notice and are as follows: Proposed Plans 1485D1501A received 22.12.2020; and Location/block plans 1485D1502A received 22.12.2020.

Background and Main Issue

3. Permission was granted in January 2021 for the erection of a two storey and single storey side extension on the appeal property (the '2021 scheme'). This application seeks to amend the design of the single storey element of this scheme and so seeks permission to amend the plans with which the development has to accord.
4. The main issue in the appeal is the effect of the amended design of the extension on the character and appearance of the host property.

Reasons

5. Brook House is a double fronted detached house with an attractive central entrance porch and stone mullioned windows which contain decorative cast iron work in the glass. To one side of the house is a brick outbuilding that consists of two parts: closest to the house it is a dual pitched building and attached to the rear of this is a smaller, flat roof building. The Council have indicated that

the house was originally a farmhouse, with the outbuildings, and the buildings to the rear that have now been converted to residential and are under separate ownership, forming the rest of the farmstead. It is not disputed that the building is a non-designated heritage asset.

6. As well as the two storey side extension to the main house, the 2021 scheme proposed to replace the existing outbuildings with an annexe joined to the main house by a small, discrete glass link. As such, this single storey part of the proposal retained the appearance of a separate outbuilding as opposed to being an extension to the house. As a consequence of this, the extensions remained subservient to the main house, and the appearance of the historic relationship of farmhouse and outbuildings was retained.
7. The single storey element of the appeal scheme would be a similar depth to the two storey side extension and would be attached to this. It would utilise similar materials to the main house and the fenestration would have a similar design. Its footprint and volume would be slightly smaller to that already approved, although the ridge height would be slightly higher. Whilst views of it from the public realm would be limited, nonetheless, in contrast to the 2021 scheme, the single storey element of the proposal would clearly be an extension to the house, rather than having the appearance of a separate outbuilding.
8. Moreover, the total width of the extensions proposed would be similar to the width of the house, and cumulatively, the scale and mass of the two storey and single storey extensions proposed in the appeal scheme would not appear as a subservient addition to the house. Taken together with the previous single storey rear extension, the size and scale of extensions to the house would be disproportionate to the host property and result in a loss of its simple form to the detriment of its historic character.
9. Therefore, I consider that the amended design of the extension would unacceptably harm the character and appearance of the host property. Accordingly, it would conflict with Policies CS6 and CS17 of the *Shropshire Core Strategy (adopted March 2011)* and Policies MD2 and MD13 of the *Shropshire Site Allocations and Management of Development Plan (adopted December 2015)* which require proposals to have a high quality of design that respects and reflects local characteristics and conserves and enhances heritage assets. It would also be contrary to paragraph 130 and part 16 of the Framework which indicates that developments should be sympathetic to local character and history, and conserve and enhance the historic environment.

Conclusion

10. For the reasons set out above, I conclude that the disputed condition should remain, and the appeal should be dismissed.

Alison Partington

INSPECTOR