



---

# Appeal Decision

Site visit made on 27 September 2022

**by S Crossen BA (Hons) PgCert PgDip MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 October 2022**

---

**Appeal Ref: APP/L3245/D/22/3304339**

**63 Henley Drive, Oswestry, Shropshire SY11 2RF**

- 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 Kelvin Williams against the decision of Shropshire Council.
  - The application Ref 22/02260/FUL, dated 11 May 2022, was refused by notice dated 5 July 2022.
  - The development proposed is "Proposed two storey extension over porch to gain additional space in bedroom. Rear kitchen extension."
- 

## Decision

1. The appeal is allowed and planning permission is granted for a first floor extension over porch to gain additional space in bedroom at 63 Henley Drive, Oswestry, Shropshire, SY11 2RF in accordance with the terms of the application, Ref 22/02260/FUL, dated 11 May 2022, and the plans submitted with it, subject to the following conditions:
  1. The development hereby permitted shall begin not later than three years from the date of this decision.
  2. The development hereby permitted shall be carried out in accordance with the approved plans: Site Location Plan dated 11th May 2022, and Existing and Proposed Elevations, Existing and Proposed Floor Plans and Block Plan dated May 2022, insofar as they relate to the proposed first floor extension over porch.
  3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

## Preliminary Matters

2. The description of development used in the heading above is taken from the planning application form. However, for clarity, I have made a number of slight alterations to it. Firstly, I have replaced "read extension" with "rear extension" as, having regard to the submitted plans, the original wording was clearly incorrect. Secondly, I have omitted the phrase "(PD)" as this is not a description of development.
3. In allowing the appeal, I have altered the description of development further to omit the phrase "proposed" as this is unnecessary and also to replace "two storey" for "first floor" as this more accurately describes the proposal. I have also removed reference to the rear extension. This is because, notwithstanding

that it is shown on the submitted plans, it is clear from the evidence that in making its decision, the Council only considered the front extension as both parties consider that planning permission is not required for the rear extension. I have determined the appeal accordingly.

### **Main Issue**

4. The main issue is the effect of the development on the character and appearance of the appeal property and surrounding area.

### **Reasons**

5. The development would extend a modern, detached two-storey dwelling located within a residential estate comprising modern dwellings of varying designs and appearance. The appeal property has a single storey projecting front porch and two storey front gable roof design, with other nearby dwellings also displaying large gable features to the front.
6. Though the front extension would be visually prominent being sited to the front of the appeal property, it would be set down from the main ridge and would only cover part of the front elevation reducing the impact of the additional massing. This would ensure that it would be subservient in scale relative to the appeal property. Moreover, the roof pitch, the external materials and the fenestration used would complement the appeal property. These factors together with the mixed character and appearance of the immediate surroundings means that the development would not be harmful to the character and appearance of the appeal property or the surrounding area.
7. I therefore conclude that the development accords with Policy MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan December 2015 and Policy CS6 of the Shropshire Local Development Framework: Adopted Core Strategy March 2011. These policies, amongst other things, seek to protect and enhance character through high quality design.

### **Conditions**

8. I have had regard to the conditions suggested by the Council. I have imposed a condition specifying the approved plans as this provides certainty. I have also imposed a condition requiring that the development be constructed from materials matching the appeal property to ensure that the appearance of the development is acceptable.

### **Conclusion**

9. For the reasons given above, having regard to the development plan as a whole, the provisions of the National Planning Policy Framework, I conclude that the appeal should be allowed.

*S Crossen*

INSPECTOR