



Appeal Decision

Site visit made on 18 October 2022

by Samuel Watson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 November 2022

Appeal Ref: APP/L3245/W/22/3300054

Barkers House, Barkers Square, Withington, Shrewsbury SY4 4QG

- 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 J Harmer against the decision of Shropshire Council.
 - The application Ref 21/05033/FUL, dated 20 October 2021, was refused by notice dated 15 December 2021.
 - The development proposed is for the erection of a four-bedroom detached two storey dwelling to replace pair of semi-detached dwellings to be demolished (last used as a single unit) and alterations to existing vehicular access.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr J Harmer against Shropshire Council. This application is the subject of a separate decision.

Main Issue

3. The effect of the proposal on the character and appearance of the surrounding area with particular regard to the historic environment.

Reasons

4. The appeal site is set within a rural location and is, with the exception of the single neighbouring dwelling, surrounded by agricultural fields. There is other development near the appeal site, but this is limited and sporadic. The appeal site itself is a spacious plot that contains a detached dwelling sited fairly centrally with a small group of large outbuildings to the rear. The site also contains two static caravans, but I understand that these are temporary to provide accommodation and workspace.
5. The Council consider that Barkers House, the host dwelling, is a non-designated heritage asset (a NDHA) as a result of its history, design and setting. In particular, I understand that the building had originally comprised four dwellings. During my site visit, I noted some suggestions of this original layout, including the presence of four external doorways and two internal staircases. The dwellings would have likely housed tenant farmers and its historic setting, agricultural fields, therefore largely remains the same. The neighbouring dwelling is a recent replacement for a very similar property to the host dwelling. I find the significance of the dwelling stems from the architectural style of the building, which is less than common, and its legible connection to the rural landscape.

6. As the appeal dwelling is the only remaining example within this area, its significance as a NDHA is somewhat increased. However, I am also mindful that the property has been substantially altered and, as set out within the appellant's structural survey, is in a state of disrepair. Cumulatively this has resulted in the loss of a large amount of its historic interest and significance. In particular, and although I noted the doors and staircases, it is very difficult to read the dwelling as having once been four, and so the, potentially, most interesting feature of the NDHA has already been eroded. I also find that the necessary works to make the building safe and habitable, up to modern standards, would further harm the legibility and interest of the historic building. Such works could be carried out irrespective of planning permission. Consequently, the overall importance of the building is much reduced, relying primarily on its location and relationship with the countryside, and would overall be limited.
7. The loss of the dwelling would result in the complete loss of the historic interest and significance of the host building. However, as the building is of only limited significance, this would not be unacceptable and detailed recording of the building could be required under a suitably worded condition in the event the appeal was allowed. Moreover, the demolition of the host dwelling would not harm the legibility of the wider rural environment.
8. The replacement dwelling would be significantly taller and have a significantly larger footprint than the existing dwelling. It would therefore also have a greater presence in public views and would not reflect the scale of the building it replaces. Whilst I note the proposed hipped roof, the replacement dwelling would not otherwise reference the host or neighbouring dwellings. Of particular note is the front elevation, this would be visible from public views along the carriageway. The large front projection with first floor half-hipped rooves and significant ground floor glazing would be a prominent and incongruous feature that would not be sympathetic to the simple, rural character of the surrounding area. Although there is a hedgerow separating the site from the road, this could be easily removed, die or otherwise cut back, to the detriment of the screening it provides. As such I do not find that the building would be screened from public views.
9. It has been brought to my attention that the neighbouring dwelling replaced an existing dwelling similar to that at the appeal site. I am mindful of the differences in scale and appearance between the neighbouring dwelling and the host dwelling, but it is nevertheless of a fairly simple style that does not result in harm to the host dwelling. I am also mindful of the appellant's reference to the various styles of dwellings present within nearby settlements. However, these appear to be within the settlements and within a different setting to the appeal site before me.
10. Although the Council consider that the appellant has not sufficiently justified the loss of the NDHA as it may be economically viable to retain and renovate the host building, as I have found no harm to occur via the loss of the NDHA it is not necessary for me to consider whether the cost and viability of retaining the existing dwelling would justify its loss. It would be similarly unnecessary for me to consider any public benefits.
11. In light of the above, the proposal would result in an unacceptable impact on the character and appearance of the surrounding area as a result of the scale

and appearance of the replacement dwelling. It would therefore conflict with Policies CS5, CS6 and CS17 of the Shropshire Local Development Framework: Adopted Core Strategy and Policies MD2, MD7a, MD7b and MD13 of the Shropshire Council Site Allocations and Management of Development Plan. These policies collectively, and amongst other matters seek for development to be of a high quality that protects local distinctiveness with particular regard to scale and design. With regard to replacement dwellings, the policies take account of the condition and standard of the host building. The proposal would also conflict with the design aims of the Type and Affordability of Housing Supplementary Planning Document in regard to its guidance on replacement dwellings in the countryside. It would also not comply with the National Planning Policy Framework, in particular Paragraph 130 which seeks for development to be sympathetic to the local character of its surroundings, maintaining a strong sense of place.

Other Matters

12. The appellant has brought my attention to the presence of a Tree of Heaven being present on site. I understand this to be an invasive species and that its removal would be recommended. However, I do not find that the removal of the tree is directly reliant on the proposal before me.
13. The appellant has directed my attention to a number of permissions granted by the council for the demolition of non-designated heritage assets and their replacement by new dwellings. Five of these examples¹ are a significant distance away from the appeal site where the context of their location is likely to be substantially different. Moreover, although I have some details for each case, I cannot be certain of the circumstances under which these were permitted. Nevertheless, mindful of the plans before me I find that none are so similar as to justify the appeal proposal. A further example was given² for an approval within Withington, but as this was for an affordable dwelling, I find it is also not directly relevant. Although the appellant has made reference to permission 20/04936, I have not been given sufficient details of this case to allow me to consider it as part of my determination of this appeal.
14. The appellant has raised that they would be willing to have permitted development rights removed from the appeal site in the event that the appeal was allowed, in order to minimise the potential for harm to arise as a result of future extensions or outbuildings. However, this would not be sufficient to outweigh the harm identified above.
15. I note that it is the intention of the appellant that the proposed dwelling would be adaptable to any age or disability related needs that may arise. Although I do not doubt that this would be beneficial to the appellant, it has not been demonstrated that the proposal would be necessary to achieve this. As such it has not been determinative in my considerations. Similarly, whilst the proposal may result in improvements to the vehicular access and highway safety it has not been demonstrated that the proposal before me is necessary to achieve this.

¹ 20/00786/FUL, 20/01730/FUL, 20/03955/FUL, 21/04677/FUL, 21/04640/FUL

² 12/02678/FUL

Planning Balance and Conclusion

16. Although the Government's objective is to significantly boost the supply of housing this proposal would only result in the replacement of a dwelling. It would nevertheless result in a small and time-limited economic benefit during the construction phase of the development. Moreover, the new dwelling would have the potential improve energy efficiency. Given the small scale of the proposal, these matters would at most attract modest weight.
17. Conversely, the proposal would result in harm to the character and appearance of the surrounding area, in conflict with the development plan taken as a whole. This attracts significant weight and outweighs the benefits associated with the proposed development.
18. The proposal would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

Samuel Watson

INSPECTOR