



Appeal Decision

Site visit made on 17 March 2023

By A. J. Boughton MA (IPSD) Dip.Arch. Dip.(Conservation) RIBA MRTPI
an Inspector appointed by the Secretary of State

Decision date: 9th May 2023

Appeal Ref: APP/L3245/D/23/3315815
38 Belle Vue Road SHREWSBURY SY3 7LL

- 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 James Neil against the decision of Shropshire Council.
 - The application Ref: 22/03766/FUL 17.08 dated 17 August 2022 was refused by notice dated 15 November 2022.
 - The development proposed is formation of extension to rear of property. Part 2 storey and part single storey, with demolition of existing lean-to utility room and wc at ground floor and construction of new kitchen, dining, lounge area with conversion of existing kitchen to utility and downstairs wc together with internal remodelling at first floor to form as further bedroom with family new bathroom and shower room off main bedroom together with installation of 4KWH photovoltaic array to front elevation roof.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development appearing on the submitted application form differs from that appearing on the council's decision notice. Noting that the appeal form confirms no change in the description of development I have used the description appearing on the application and appeal forms notwithstanding that it is unnecessarily lengthy and includes some works which would likely fall outwith the definition of development.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the host dwelling and the Belle Vue Conservation Area (Belle Vue CA).

Reasons

4. The appeal site, 38 Belle View Road (No.38) is a three-bay, two-storey house which is paired with (and attached to) its similar neighbour No.36, both set within large plots and set back from the busy Belle Vue Road. Holy Trinity, a substantial brick-built Parish Church which is a prominent element in this part of the street scene adjoins the south-west boundary of the appeal site and dominates the long, otherwise open rear garden of No.38 from which the form of its neighbouring house is apparent.

5. Although not unaltered, No.38, with No.36, largely retain original form and character as early nineteenth century villas with low-pitch slated roof, sliding sash windows and soft red brick walling. At the rear of No.38, a modest single storey timber clad structure projects along the boundary with No.36. This is being demolished and replaced with what is proposed, a near-full-width single storey extension finished in render and a partial upper floor extension, gabled and timber-clad.
6. Although the rear elevation of the host building has been altered, and parts of the brickwork (may need to be or have been) repaired or pointed, such incremental change has been absorbed over the life of the buildings without significant depletion of its patinated character. The small kitchen extension has the nature, by its size, location and material choice, of an unobtrusive ancillary addition to the main house such that the original form of the house remains legible. The proposal would remove this extension and replace with built form that would, but for one window to an upper floor room, overlay the entire rear elevation with new structure and contrasting materials, including the introduction of a gabled roof form. This part of the proposal fails to respect the architectural form of the host dwelling which is typical of its type and era, characterised by simple roof planes, gables absent. The form and appearance of the upper part of the proposal would undermine, rather than reinforce, the distinctive local characteristics as I have identified.
7. I note the appellant's comments as to the design and materials used, the environmental benefits, also suggesting the impact of the proposal would be minimised as it is at the rear of the appeal property. I also note the appellant's reference to avoidance of 'pastiche'. However, noting the materials proposed to be introduced would contrast with the existing brickwork, and thereby be more conspicuous than otherwise, particularly at upper floor level, combined with its significant depth it is likely the flank wall could be glimpsed from Alton Terrace but would be evident in other viewpoints as presenting a significant change in the size and form of the original building. The appellant suggests the site is well screened. It is my observation that the original form and character of both No.38 and No.36 are apparent from both adjoining gardens and that what is proposed would not only be visible from the host garden but would significantly detract from the character of these dwellings as a pair. As my reasoning sets out, I consider there is a clear conflict with Policies MD2 and MD13 of the Shropshire Council Site Allocations and Management of Development Plan(2015) (SAMDev) which seek to contribute to, and respect, locally distinctive and valued character.
8. The effect of the proposal upon the character and appearance of the Belle Vue CA as a whole is a matter to which I must have regard as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA). For the reasons I have given, the size, material choice and roof form of the proposal, taken together, would result in a significant and obtrusive change to the character and appearance of the host dwelling, notwithstanding the limited opportunities for public view. I therefore conclude what is proposed would fail to preserve the character and appearance of the Belle Vue CA.
9. I also note the appellant's comments as to the application of solar panels to the front roof slope. I have nothing before me to confirm the status of a similar array at No.36, but it is apparent from that array that that this part of the

proposal would further detract from the character and appearance of the area by replacing a patinated roof slope with a prominent and unrelieved single expanse of photovoltaic panels.

10. As I have indicated, the proposal conflicts with the relevant policies of the development plan and would fail to preserve the Belle Vue CA. Consequently, taking all matters raised into account, and for the reasons given, the appeal cannot succeed.

Andrew Boughton

INSPECTOR