



# Appeal Decision

Site visit made on 26 June 2023

by **Ben Plenty BSc (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 7 July 2023**

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**Appeal Ref: APP/L3245/D/23/3316408**

**Breiden, 46 Woolston Road, Oswestry SY11 4LB**

- 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 P Mansell against the decision of Shropshire Council.
  - The application Ref 22/04688/FUL, dated 13 October 2022, was refused by notice dated 15 December 2022.
  - The development proposed is Erection of two storey extension with single storey element following partial demolition of garage and associated internal alterations (revised scheme).
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are:
  - the effect of the proposed extension on the character and appearance of the host building, and
  - the effect of the proposal on ecological interests.

## Reasons

### *Character and appearance*

3. The appeal dwelling is a semi-detached property at the end of a loose line of dwellings on a country lane. Its side elevation is largely exposed to wider views due to the relatively open character of the surrounding countryside and the absence of tall hedge planting. The dwelling has been extended in the past with rear and side additions that have substantially increased the overall mass of the original dwelling and eroded its simple and pleasant sandstone form. As a result, the dwelling makes a neutral contribution to the character and appearance of the area.
4. The proposed extension would remove the ungainly side feature, containing the existing staircase, and subsume the flat roof two-storey rear extension into a deeper projection. These works would partly rationalise the form of the existing dwelling. However, the two-storey addition would project beyond the main side elevation of the property and would add a large porch feature that would be clad in vertical timber boarding. These features would fail to complement either the original building or rationalise the appearance of the dwelling's previous extensions.

5. The two-storey extension would project further into the rear garden with an addition of significant further bulk. It would also protrude from the main side elevation of the dwelling creating an awkward staggered line within the side elevation. This feature would reinforce the size of the extension. Also, the proposed single storey side extension would be emphasised by the use of timber board cladding. Through its position, and use of uncharacteristic materials, this feature would be a further overt addition. The combined effect of the proposed extensions would form an awkward juxtaposition of elements that would diminish and harming the character of the host dwelling. Moreover, due to the site's prominence, the proposal would be obtrusive when approaching the village, also resulting in harm to the character and appearance of the area.
6. Accordingly, the proposed extensions would conflict with policy CS6 of the Shropshire Core Strategy [2011] (CS) and MD2 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan [2015]. These seek, among other matters, for development to be designed to a high quality and respect locally distinctive character.

#### *Ecological matters*

7. The Conservation of Habitats and Species Regulations [2017] (as amended) requires a decision maker to understand the effect of a proposed development on protected species. The Council's ecologist finds that the proposed works would include roof modifications which may affect a habitat for bats, a protected species. As such, under the Habitat Regulations, it is necessary for the Appellant to demonstrate whether or not bats would be affected by the proposal through a preliminary bat roost assessment.
8. This matter could not be subject to a planning condition and must be resolved prior to consent being given. As such, the Appellant has failed to demonstrate that the proposal would not have an adverse impact on a bat population. Consequently, the proposal would conflict with CS policy CS17 and SAMDev policy MD12. These seek, *inter alia*, for development to not adversely affect the ecological value of Shropshire's natural assets.

#### **Other Matters**

9. During my visit I observed that the neighbouring property 'The Grove' has been extended. Whilst each case must be considered on its own merits, I note that the neighbouring brick extension seems to be well integrated with the host dwelling, with one main material. As such, this is not readily comparable to the proposal. Also, whilst the proposal would not affect the living conditions of existing neighbouring occupiers, an absence of harm in this respect can only be considered as a neutral factor in the planning balance.

#### **Conclusion**

10. The proposal would harm the character and appearance of the area and would conflict with the development plan when taken as a whole. For the reasons given, I conclude that the appeal should not succeed.

*Ben Plenty*

INSPECTOR