



## Appeal Decision

Site visit made on 30 January 2024

by **L C Hughes BA (Hons) MTP MRTPI**

an Inspector appointed by the Secretary of State

**Decision date: 13 February 2024**

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**Appeal Ref: APP/L3245/W/23/3328007**

**Northwood Cottage, The Hill, Grinshill, Shropshire SY4 3BU**

- 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 and Mrs Good against the decision of Shropshire Council.
  - The application Ref 23/01504/FUL, dated 4 April 2023, was refused by notice dated 31 May 2023.
  - The development proposed is Proposed Change of use of part of existing curtilage from agricultural field to residential use. Proposed extensions.
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### Decision

1. The appeal is allowed and planning permission is granted for Proposed Change of use of part of existing curtilage from agricultural field to residential use and proposed extensions at Northwood Cottage, The Hill, Grinshill, Shropshire SY4 3BU in accordance with the terms of the application, Ref 23/01504/FUL, dated 4 April 2023, subject to the following conditions:
  1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
  2. The development shall be carried out strictly in accordance with the following approved plans – Location plan showing garden ponds; Site and Location Plans 2019 D302; Alterations and extensions as existing 2019 D300; and Alterations and extensions as proposed 2019 D301.
  3. All new external work and finishes and work of making good of the development hereby permitted shall match existing adjacent original work in respect of materials used, detailed execution and finished appearance, except where indicated on the drawings hereby approved.
  4. No development shall commence until details of all external windows and doors and any other external joinery shall be submitted to and approved in writing by the Local Planning Authority. These shall include full size details, 1:20 sections and 1:20 elevations of each joinery item which shall then be indexed on elevations on the approved drawings. The development shall thereafter be carried out in accordance with the approved details.
  5. The development shall be carried out in strict accordance with the Reasonable Avoidance Measures Method Statement in respect of great crested newts, as set out in the Reasonable Avoidance Measures Method Statement (Arbor Vitae, February 2021).

## **Preliminary Matters**

2. I have not addressed the 'proposed change of use of part of the existing curtilage from agricultural field to residential use' in this appeal decision, as permission has been granted for this element of the development, along with a smaller extension, under application 23/04255/FUL which was determined after this appeal was submitted.
3. On the 19 December 2023 the Government published a revised National Planning Policy Framework (the Framework) later updated on 20th December 2023, together with a written ministerial statement (WMS). The revised Framework is a material consideration which should be taken into account from the day of publication. I have familiarised myself with the content of the revised Framework and the accompanying WMS. Having considered the parties' respective cases and the nature of the revisions, in light of the principles of natural justice, I have not considered it necessary to invite any submissions from the parties on the revised Framework.

## **Main Issue**

4. The main issue is the effect of the proposal on the character and appearance of the host building and the surrounding area.

## **Reasons**

5. Northwood Cottage is a detached dwelling which sits opposite Grinshill Hill, an area of woodland registered as a wildlife site due to the sandstone outcrop habitats, conifer plantations, birch wood and quarry heathland. The appeal site currently comprises domestic and agricultural land, along with the dwelling. There are a small number of residential properties close by.
6. Northwood Cottage is considered a non-designated heritage asset. The significance of Northwood Cottage, as a non-designated heritage asset, lies partly in the historic past use of the site as a farm range. The original part of the appeal dwelling was seemingly used as a shed and food store to the small holding now known as 60, The Hill, which is the property next door to the appeal site.
7. Paragraph 209 of the Framework requires that the effect of a proposal on the significance of a non-designated heritage asset should be taken into account in determining the application and states that a balanced judgement will be required having regard to the scale of any harm and the significance of the heritage asset.
8. The appeal property has previously been extended to link to and incorporate a later rear outbuilding. The sensitive conversions and extensions, along with the location of the appeal property set back within its generous plot, make a positive contribution to the picturesque rural character of the area.
9. Whilst the proposed extension would extend out to the northeast of the side gable of the former outbuilding to the rear of the appeal property, this would not appear as unacceptably incongruous or significantly alter the character and appearance of the appeal property. The linear form of the height of the extension would be lower than that of the existing building which would ensure that the extension would appear visually subordinate and would not excessively overwhelm the original building. The proposed extension would not adjoin

those parts of the original building which are considered to have heritage merit. I consider that the significance of the original building in terms of its age and previous use would not be harmed. Furthermore, the linked design between the original dwelling and the previously approved extension would not be impacted, ensuring that the clear delineation between the two originally separate buildings would remain.

10. The proposed extension is not excessive in its scale or design in relation to the site context, even taking into account the fact that there have been previous extensions to the appeal property. At approximately 23m<sup>2</sup> the extension would not be overly large, and the appeal property lies within a generous plot. The proposed extension would not cause the site to appear cramped or over developed.
11. Although not cited within the reasons for refusal on the decision notice, Shropshire Council's Type and Affordability of Housing Supplementary Planning Document (2012) (SPD) has been referenced in the Officer report. Guidance within the SPD seeks to control the size of extensions in the rural area, in part to help maintain the stock of smaller, lower cost market dwellings. The guidance warns against multiple successive extensions as this tends to lead to the creation of excessively large properties. Although the SPD does not give specific guidance on what would be considered excessive, it is my view that, in this instance, the scale of the proposal would not lead to the creation of an excessively large property nor would it lead to the loss of a small, low cost dwelling.
12. The appeal site is located along a single track road and there are nearby public footpaths. However, the proposed extension is set back within the plot some distance from the boundaries. I consider that due to the positioning of the proposed extension within the plot and its scale in relation to the host property, it would not appear as prominent or over dominant in the street scene. The proposed extension would sit comfortably within the context of the existing built development of the host property and surrounding dwellings when viewed from the limited public vantage points.
13. The Council have suggested that the proposed development would result in minimal public benefits. Criteria 3 of Policy MD13 of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan (2015) states that proposals which are likely to have an adverse effect on the significance of a non-designated heritage asset, including its setting, will only be permitted if it can be clearly demonstrated that the public benefits of the proposal outweigh the adverse effect. Although this goes beyond the requirements of the Framework, which calls for a balanced judgement having regard to the scale of any harm and the significance of the non-designated heritage asset, I have found that the proposed development would not, in any case, have an adverse effect on the significance of the non-designated heritage asset. As such, I have not deemed it necessary to consider whether the proposal would result in public benefits.
14. I conclude that the proposal would not harm the character and appearance of the host property or the surrounding area. The proposal would therefore accord with Policies CS6 and CS17 of the Shropshire Council Adopted Core Strategy (2011) and Policies MD2, MD7a, MD12 and MD13 of the SAMDev, along with the Framework which together seek to ensure that development is of a high

standard, takes into account local context and character and protects the character of the built and historic environment including the context and character of heritage assets including their settings.

### **Conditions**

15. I have considered the conditions suggested by the Council, having regard to the Planning Practice Guidance on conditions. I have amended a number of the conditions in the interest of clarity. The appellant has confirmed their agreement to the proposed pre-commencement condition.
16. In addition to the standard timeframe condition, it is necessary to impose a condition requiring the development to be carried out in accordance with the submitted plans in the interest of certainty (conditions 1 and 2).
17. A condition regarding the materials to be used and details of windows and doors is necessary in order to protect the character and appearance of the area and the architectural interest of the non-designated heritage asset (conditions 3 and 4).
18. I have attached a condition requiring that the work is undertaken in accordance with the Reasonable Avoidance Measures Method Statement in respect of great crested newts set out in the submitted documents, in order to safeguard this protected species (condition 5).

### **Conclusion**

19. For the reasons given above, I conclude that the development would comply with the development plan as a whole and there are no other material considerations to lead me to find otherwise than in accordance with it. As a result, the appeal is allowed.

*L C Hughes*

INSPECTOR