



Appeal Decision

Site visit made on 25 June 2024

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2024

Appeal Ref: APP/L3245/D/24/3336947

Pryll Cottage, 19 Burway Road, Church Stretton, Shropshire SY6 6DP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr T Smythe against the decision of Shropshire Council.
 - The application Ref is 23/03654/FUL.
 - The development proposed is the erection of part two storey and part single storey extension following partial demolition; single storey flat roof side extension and partially replacing boundary fence with brick wall.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of part two storey and part single storey extension following partial demolition; single storey flat roof side extension and partially replacing boundary fence with brick wall at Pryll Cottage, 19 Burway Road, Church Stretton, Shropshire SY6 6DP in accordance with the terms of the application, Ref 23/03654/FUL, subject to the conditions set out in the attached Schedule.

Preliminary Matters

2. The description of development set out in the above heading and the formal decision omits some of the text from the description provided on the planning application form. The omitted text states that the proposal is a revision to a previously approved scheme, and as such it does not describe acts of development.
3. The elements of the appeal proposal involving the part two storey and part single storey extension, and partial replacement of a boundary fence with a brick wall are the subject of planning permission granted on appeal (the previous appeal). That permission remains extant. Based on my observations and acknowledging that the proposed brick wall is longer than previously permitted, I have no grounds to disagree with the Inspector's decision. I have therefore focused on the proposed single storey flat roof side extension (the appeal proposal) in my reasoning below.

Main Issue

4. The main issue is the effect of the proposal on the significance of a non-designated heritage asset and whether it would preserve or enhance the character or appearance of the Church Stretton Conservation Area.

Reasons

5. The appeal site is within the Church Stretton Conservation Area (CA). I have therefore had regard to the statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area as set out at Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
6. The CA is extensive in size, encompassing the historic core of the town and residential areas that extend up the valley sides. Its significance stems from its large number of well-preserved buildings and spaces that reflect the historic development of the area as a traditional market town and later as an inland resort.
7. The Council recognise the appeal property as a non-designated heritage asset (NDHA), and this was accepted by the Inspector in the previous appeal. Having carefully considered the evidence before me, I do not consider this to have been an unreasonable conclusion to reach.
8. At the time of my visit, a brick wall that would form the east elevation of the appeal proposal had been constructed. In its position, directly to the rear of a stone wall that is sited along part of the boundary of the site with Burway Road, it is closer to the road than the wall shown on the submitted 'Site Block Plan as Approved and Proposed'. Nevertheless, the stone wall remains the dominant feature within the street scene and the brick wall, as constructed, retains the appearance of a secondary boundary feature.
9. An existing boundary wall shown on the submitted plans extending from the south elevation of Pryll Cottage along Burway Road was not in situ when I visited. The submitted plans, however, suggest that it will be reinstated, and this can be secured by condition to ensure that a boundary feature is maintained along the majority of Burway Road.
10. The appeal proposal, when added to the permitted extensions, would result in a significant increase in the footprint of the original dwelling. Nonetheless, its low height and its lightweight, glazed design would ensure that it would not appear as a dominant feature within the site. The appeal proposal and the permitted extensions would be seen as subordinate additions to the dwelling and the simple original appearance of Pryll Cottage would remain legible. Therefore, the additional impact of the appeal proposal would not lead to any material loss of significance to this NDHA.
11. The appeal proposal would result in a further, although relatively minor, reduction in the spaciousness within the site above that arising from the approved scheme. However, the appeal proposal would not project forward of the west elevation of Pryll Cottage and, as such, the additional built form would not intrude into the landscaped area visible from Rectory Gardens. Subject to the undertaking of a scheme of landscaping to the west and south of the dwelling, the spacious and verdant nature of the site would not be harmfully eroded. Consequently, the appeal proposal would not be apparent from the public domain and would not, therefore, affect how Pryll Cottage is experienced from outside of the site even when the permitted extensions are taken into consideration.

12. Accordingly, I find that the impact of the proposed development on the character and appearance of the CA as a whole would not be materially or harmfully different to the approved scheme. Any views of the appeal proposal from the neighbouring properties in Rectory Gardens would be obscured by the boundary features and the mature vegetation around the site.
13. I therefore conclude that the appeal proposal would not harm the significance of Pryll Cottage as a NDHA and would preserve the character and appearance of the CA. It would therefore accord with Policies MD2 and MD13 of the Site Allocations and Management of Development Plan (SAMDev) and Policy CS6 of the Core Strategy (CS) which seek high quality design and to protect, conserve and enhance the historic context and character of heritage assets.
14. SAMDev Policy MD7b and CS Policy CS5, relating to development in the countryside, have been referenced in the reason for refusal. In the absence of any evidence that demonstrates that the appeal site lies within the countryside I find that these policies are not relevant to the main issue.

Other Matters

15. The appeal site is close to a Grade II listed building, the Old Rectory. However, the boundary treatment and the carriageway of Rectory Gardens provides visual separation from the listed building. Consequently, the proposed development would not materially affect the way that this listed building is experienced. Furthermore, due to the separation distance, the intervening treed embankment and its elevated position, the appeal proposal will have a neutral effect on the setting of the Grade II listed War Memorial.
16. Harm to the landscape and scenic beauty of the Shropshire Hills National Landscape, within which the appeal site lies, did not form part of the reason for refusal. As the site is contained within an established residential area within the town, I have no grounds to disagree with the Council in this regard.

Conditions

17. In addition to the standard time limit condition limiting the lifespan of the planning permission I have also, in the interests of certainty, attached conditions specifying the approved plans. A condition relating to matching materials is also necessary to ensure that the appearance of the new development would be satisfactory and would not harm the character or appearance of the NDHA or the CA. For the same reason, it is also necessary to impose a condition requiring the reinstatement of the boundary wall and the approval and implementation of a scheme of landscaping.
18. In addition, I have imposed conditions to limit the potential for construction works to harm the living conditions of the occupiers of neighbouring properties and to ensure consistency with the previous appeal decision.

Conclusion

19. For the reasons given above, having regard to the development plan as a whole and all relevant material considerations, I conclude that the appeal should be allowed.

Elaine Moulton INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing No. 19147-PL1001, Drawing No. 19147-PL1002, Drawing No. 19147-PL1006, Drawing No. 19147-PL1007, and Drawing No. 19147-PL1008.
- 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.
- 4) Prior to occupation, the wall shown on drawing no. 19147-PL1002 that adjoins Burway Road and extends from the south elevation of Pryll Cottage shall be reconstructed in accordance with details that shall have been submitted to and approved in writing by the local planning authority beforehand.
- 5) Prior to occupation, a scheme of hard and soft landscaping works shall have been carried out in accordance with details that shall have been submitted to and approved in writing by the local planning authority beforehand. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) All works (including demolition), site works and construction shall only take place between the hours of 08.00 and 18.00 Monday to Friday and 08.00 and 14.00 Saturdays, and not at any time on Sundays, Bank or Public Holidays.
- 7) No deliveries to the site in connection with the development hereby approved shall occur except between the hours of 08.00 and 18.00 Monday to Friday and 08.00 and 14.00 Saturdays, and not at any time on Sundays, Bank or Public Holidays.